

U.S. Department of
Homeland Security

United States
Coast Guard



Sexual Assault Prevention and Response (SAPR) Program

COMDTINST M1754.10D



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COMMANDANT MANUAL M1754.10D

Subj: SEXUAL ASSAULT PREVENTION AND RESPONSE (SAPR) PROGRAM

- Ref:
- (a) Coast Guard Medical Manual, COMDTINST M6000.1 (series)
 - (b) Military Justice Manual, COMDTINST M5810.1 (series)
 - (c) United States Coast Guard Regulations 1992, COMDTINST M5000.3 (series)
 - (d) Coast Guard Investigative Service Roles and Responsibilities, , COMDTINST 5520.5 (series)
 - (e) The Coast Guard Freedom of Information and Privacy Acts Manual, COMDTINST M5260.3 (series)
 - (f) Coast Guard Family Advocacy Program, COMDTINST 1750.7 (series)
 - (g) U. S. Coast Guard Competency Management System Manual, M5300.2 (series)
 - (h) Mandatory Use of the Training Management Tool, COMDTINST 5270.2 (series)
 - (i) A National Protocol for Sexual Assault Medical Forensic Examinations, Department of Justice Publication NCJ 206554

1. PURPOSE. This instruction establishes policy and prescribes procedures for the Coast Guard SAPR Program. The ultimate purpose of this program is to eliminate sexual assault within the Coast Guard by providing a culture of prevention, education and training, response capability, victim support, reporting procedures, and accountability that enhances the safety and well-being of all its members.
2. ACTION. Area, district, and sector commanders, unit commanders, commanding officers of headquarters units, deputy/assistant commandants for directorates, Judge Advocate General and special staff offices at Headquarters shall ensure that the provisions of this Manual are followed. Internet release is authorized.

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NON-STANDARD DISTRIBUTION:

3. DIRECTIVES AFFECTED. Sexual Assault Prevention and Response Program (SAPRP), COMDTINST 1754.10C, is hereby cancelled.
4. DEFINITIONS. An extensive list of terms and definitions related to this Manual is provided in Enclosure (1).
5. DISCUSSION. This Manual strengthens the Coast Guard's sexual assault prevention and response management framework, and will also help to raise awareness regarding the systemic manner in which the Coast Guard will work to prevent sexual assaults and, when they do occur, respond to the crime of sexual assault.
6. MAJOR CHANGES.
 - a. In the event of any conflict between the SAPR guidance contained in references (a) through (d) and the SAPR guidance contained in this document, this document is controlling.
 - b. A new Victim Advocate (VA) Privilege was signed into law in the Military Rules of Evidence (MRE 514) effective 12 January 2012. This privilege applies to a "confidential communication made between a victim and a victim advocate, in a case arising under the UCMJ, if such communication was made for the purpose of facilitating advice or supportive assistance to the victim." There are several very important exceptions to the VA privilege. VAs, Sexual Assault Response Coordinators (SARC), and Employee Assistance Program Coordinators (EAPC) are strongly urged to coordinate with their servicing Staff Judge Advocate's (SJA) office to discuss the meaning and effect of the privilege and its exceptions.
 - c. The term "SARC" is the acronym Congress mandated that the Armed Forces use so that any military member anywhere in the world at any military installation could find a Sexual Assault Response Coordinator without having to learn that particular service branch's acronym.
 - d. The title "Employee Assistance Program Coordinator (EAPC)/Sexual Assault Response Coordinator (SARC)" is used throughout this Manual to refer to the personnel most often fulfilling the role of a SARC within the Coast Guard, but any personnel appointed to or hired into the role of a SARC shall follow all requirements for the EAPC/SARC in Chapter 6.H.
 - e. Two new chapters have been established; one focuses on Prevention (Chapter 2), and the other serves as a guide for Commanding Officers and Officers-in-Charge (Chapter 5).
 - f. Coast Guard-specific training for SARCs and VAs has been developed and is now mandated for personnel working within the SAPR field.
7. PRIVACY PROVISIONS. The Privacy Act (5 U.S.C. 552a), as discussed in Reference (e), and the Health Insurance Portability and Accountability Act (HIPAA) of 1996, as discussed in Reference (a), apply to records that contain protected health information. These acts and regulations place procedural requirements on the use and disclosure of such information. The Coast Guard Healthcare Program may disclose protected health information as provided

by law about an individual only when the individual has given permission, or to persons who are in a position to intervene and protect the individual from harm to self or others. The applicable Systems of Records Notice for the reporting requirement contained in this Manual can be found at <http://edocket.access.gpo.gov/2008/E8-25967.htm>.

8. RECORDS MANAGEMENT CONSIDERATIONS. This Manual has been thoroughly reviewed during the directives clearance process, and it has been determined that there are records scheduling requirements, in accordance with Federal Records Act, 44 U.S.C. 3101 et seq., National Archives and Records Administration (NARA) requirements, and the Information and Life Cycle Management Manual, COMDTINST M5212.12 (series).
9. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS. The development of this directive and the general policies contained within it have been thoroughly reviewed by the originating office and are categorically excluded under current USCG categorical exclusion (CE) (1) from further environmental analysis, in accordance with Section 2.B.2. and Figure 2-1 of the National Environmental Policy Act Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST M16475.1 (series). This directive will not have any of the following: significant cumulative impacts on the human environment; substantial controversy or substantial change to existing environmental conditions; or inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment. All future specific actions resulting from the general policies in this Manual must be individually evaluated for compliance with the National Environmental Policy Act (NEPA), Council on Environmental Policy NEPA regulations at 40 CFR Parts 1500-1508, DHS and Coast Guard NEPA policy, and compliance with all other environmental mandates.
10. FORMS/REPORTS AVAILABILITY. The forms referenced in this Manual are available in USCG Electronic Forms on the Standard Workstation or on the Internet: <http://www.uscg.mil/forms/>; CG Portal <https://cgportal.uscg.mil/delivery/Satellite/CG611/FORMS> and Intranet at <http://cgweb.comdt.uscg.mil/CGForms>.

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Deputy Commandant for Mission Support

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- Enclosures:** (1) Definitions
- (2) Victim Reporting Preference Statement, Form CG-6095
- (3) Unit Commander’s Checklist for Unrestricted Reports of Sexual Assault
- (4) Victim Advocate Supervisor Statement of Understanding, Form CG-6095B
- (5) Victim Advocate Statement of Understanding, Form CG-6095A
- (6) Role of the Victim Advocate (VA)
- (7) Unrestricted Report Data Format
- (8) Restricted Report Data Format
- (9) Restricted Reporting Evidence Tracking and Management Process
- (10) Victim Advocate (VA) Pre-Screening Process

CHAPTER 1 APPLICATION

A. Sexual Assault.

“Sexual assault” is defined as intentional sexual contact, characterized by use of force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent. Sexual assault includes rape, forcible sodomy, and other unwanted indecent contact (e.g., kissing against another person’s will) that is aggravated, abusive, or wrongful (to include unwanted and inappropriate sexual contact), or attempts to commit these acts. “Consent” means words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of refusal or lack of consent through words or conduct means there is no consent (i.e., “No Means No”). 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. The victim’s lack of verbal or physical resistance or submission resulting from intoxication, from unconsciousness due to sleep or alcohol consumption, or from any other conditions which render the person substantially incapacitated or substantially incapable of understanding the nature of the sexual act, declining participation in the act, or communicating unwillingness to engage in the sexual act does not constitute consent. A current or previous dating relationship shall not constitute consent. The manner of dress of the victim shall not constitute consent. (Note: These definitions are intended to be general descriptions used for training and educational purposes. Specific definitions of the elements of the sexual assault, sexual contact, and forcible sodomy offenses are found in Articles 120 and 125, UCMJ.)

B. Persons Covered by this Manual.

This Manual applies when sexual assault is reported or alleged and the victim or accused is a Coast Guard or other active duty military service member, Coast Guard Reserve member on active duty or in a drill status, or civilian spouse sexually assaulted by their active duty service member spouse.

C. Civilian Employees, Dependents and Civilian Visitors.

The Unrestricted and Restricted Reporting options addressed in this Manual do not apply to civilian employees, non-military dependents or civilian visitors except for civilian spouse sexually assaulted by their active duty service member spouse. Civilian employees, dependents and civilian visitors may report a sexual assault to a unit commander or watchstander, Employee Assistance Program Coordinator/Sexual Assault Response Coordinator (EAPC/SARC), Family Advocacy Specialist (FAS), Victim Advocate (VA), Health Care Provider (HCP), or local law enforcement. In cases where the victim is a civilian employee, dependent, or civilian visitor, CG personnel receiving the report of assault shall contact the cognizant SARC, who will ensure that the victim is provided initial crisis intervention (e.g., ensuring personal safety and providing life-saving medical care) and is then referred to civilian resources. The Rape, Abuse, and Incest National Network (RAINN) operates the National Sexual Assault Hotline (1-800-656-HOPE), with secure instant messaging available at www.rainn.org and offers immediate crisis intervention and support, as well as referrals to appropriate resources in the location needed for both service members and civilian employees.

D. Unrestricted Reporting.

The Unrestricted Reporting option may be used by the service member to disclose to his or her chain of command that he or she is the victim of a sexual assault. For purposes of this Manual, “service member” is defined as Coast Guard active duty members and Coast Guard reserve members on active duty or in a drill status, unless otherwise noted. Under the Unrestricted Reporting option, the victim’s report to command authorities or to an EAPC/SARC, FAS, VA, HCP, or anyone else, is reportable to CGIS.

E. Restricted Reporting.

The Restricted Reporting option may be used by a service member or civilian spouse sexually assaulted by their active duty service member spouse to disclose to specific individuals on a confidential basis that he or she is the victim of a sexual assault. If the assault has been disclosed to ONLY an EAPC/SARC, FAS, VA, or HCP, it shall not be reported to the chain of command or law enforcement, unless the victim consents or an established exception is exercised under this Manual.

F. Incidents by Family Members or Caregivers.

Reference (f) provides policies and procedures for reporting sexual abuse incidents occurring between family members or committed by caregivers, and shall be followed in those situations.

CHAPTER 2 PREVENTION

A. Discussion.

All Coast Guard service members – indeed all members of the Coast Guard family to include civilians, reservists, Auxiliarists, and dependents – should work and live in an environment where every member is valued for their contributions to mission execution. No one should feel threatened or live in fear of sexual assault. The commission of sexual assault is a crime, morally reprehensible and a clear violation of our Core Values. It will not be tolerated in the Coast Guard. Everyone is responsible for preventing sexual assaults. Sexual assault is a crime that has a demoralizing impact that goes far beyond the immediate victim. It destroys families, friendships, and compromises command cohesiveness. While a well-developed Coast Guard sexual assault response framework is important, preventing assaults is the Service's top priority.

Understanding the nature of sexual assault is critical towards building an effective prevention strategy:

1. **The majority of sexual assault crimes are committed by those we know.** Sexual assault is not about sex, but about power and control over those that can be easily influenced, or do not suspect any ill intentions. Sexual assault is often committed by people we know. This means that everyone must be continually aware of their environment, look for situations that may be developing, and intervene to disrupt the chain of events that could lead to a sexual assault.
2. **Alcohol plays a key role in the majority of sexual assaults; all members should drink responsibly, if at all, to avoid a loss of situational awareness and the ability to make prudent decisions.** Alcohol is often used as a weapon of choice to perpetrate sexual assault. Offenders often ply their victims with alcohol or take advantage when someone has overindulged. Alcohol consumption reduces inhibitions as well as the victim's ability to effectively protect themselves. Alcohol can also impair the judgment of otherwise rational people, leading them to commit assault or to fail to act or intervene appropriately as a sexual assault incident develops.
3. **All members of the Coast Guard family are obliged to report both suspected and actual sexual assault occurrences as such acts are a violation of the Coast Guard's Core Values of Honor, Respect and Devotion to Duty.** There are no innocent bystanders in sexual assault.

B. Prevention Strategies.

All members of the Coast Guard family have a responsibility to take actions to eliminate sexual assault. Only with the convergence of positive command leadership, personal responsibility, awareness, and intervention, will the Coast Guard succeed in eliminating sexual assault from our Service. In addition to the specific duties described throughout this Manual, such actions include:

1. **Establishing a command climate in which everyone understands the criminal nature of sexual assault and the importance of preventing it.** Emphasize this through personal engagement in the program; lead by example through practicing zero tolerance.
2. **Promoting an environment in which victims are willing to come forward in the event of a sexual assault.** Only a small percentage of sexual assaults are reported due to members' fear of retribution, negative speculation towards them, or outright embarrassment. Coast Guard family members should be assured that no matter what the situation, the Coast Guard is there to protect their personal rights, health, and safety. Victims should be assured the event was not 'their fault', nor should they be embarrassed about coming forward. A positive outcome of reporting sexual assault not only protects the victim, but prevents sexual assault from occurring again. Would-be assailants need to know that their criminal activity will be reported, and they will be held accountable.
3. **Taking all reports of sexual assault seriously.** No matter what the situation, any perceptions, implications, and accusations of sexual assault should be taken seriously and acted upon immediately. This applies to a supervisor who is given a formal report, to a member who witnesses it, to someone who has simply overheard a conversation discussing it. Knowledge equates to responsibility – once you are made aware of a potential assault it is your duty to act on it, no matter what your relationship to the situation is.
4. **Building a culture that eliminates all behaviors and commentary that could serve as a precursor to sexual assault.** Immediately address and seek to eliminate sexist, racist, and homophobic attitudes towards others. Prohibit the use of offensive jokes and other commentary that is demeaning to others and permits a culture of disrespect. Take actions to eliminate offensive posters or publications from the workplace. Respect your fellow service members, regardless of rank, rate, gender, cultural background, or sexual orientation.
5. **Holding perpetrators of sexual assault accountable for their behavior.** One of the surest ways to prevent sexual assault is to clearly show the penalties when an assault is committed. Swift and appropriate disciplinary action for substantiated incidents demonstrates that such violations are not tolerated, affords the victim protection and puts the violator in an immediate position where they cannot repeat their actions.
6. **Promoting intrusive leadership and active prevention from by-standers.** In order to prevent sexual assaults, leaders need to engage with their people to ensure they have the knowledge to prevent sexual assaults from developing. Similarly, every member of the Coast Guard family needs to know that they have an affirmative duty to intervene in a developing situation, when possible, to respect and care for others, that they will be rewarded for taking care of each other, and that they could be held accountable for not taking action when doing so would prevent an assault.
7. **Conducting and/or attending training.** All service members should attend and participate in sexual assault prevention training and events, as well as training in

alcohol/drug abuse, sexual harassment training and any training involving workplace climate issues. Unit leaders should personally participate in training to the maximum extent possible. Having a well-rounded perspective regarding how some personal actions could lead to threatening or offensive behavior is the first step in eliminating sexual assault and other negative actions from occurring.

C. Resources and Prevention Best Practices.

Below is a collection of resources and best practices from across the Coast Guard that have proven to be beneficial with assisting Commanding Officers and Officers-in-Charge in administering an effective and proactive sexual assault prevention program.

1. Every service member and supervisor (civilian or military) must be thoroughly familiar with this Manual, including both prevention and response strategies and policies.
2. Establish a personal relationship with your local SARC and other work-life providers. Invite the SARC to the unit, introduce the SARC to the crew, and gain an understanding of the overall sexual assault climate in the geographic region. This personal bond, formed and strengthened far ahead of any incident, will return benefits far beyond the initial investments.
3. The Coast Guard offers a robust training program for service members to be trained as VAs, and it is offered at various locations annually. Civilian employees may also be assigned to the role of a VA if in the best interest of the command, and they are held to the same standards and training obligations as uniformed VAs. The VA's role is to not only respond and care for victims of sexual assault, but also to act in a prevention capacity by being an information resource at the unit and assisting the SARC with prevention activities. It is strongly recommended that all units have at least one trained VA.
4. The SAPR Program Manager typically has advanced expertise in sexual assault program issues and knowledge of other Services' programs and resources that could be leveraged for Coast Guard uses.
5. Maintain a robust sexual assault prevention program through engaged leadership and by taking a proactive intervention posture. The more the topic of sexual assault prevention is discussed openly, the more comfortable members will feel to bring forward issues of concern. When a command demonstrates that it truly cares, the crew positively responds, reducing the likelihood that sexual assault will occur or will be tolerated.
6. Alcohol has proven to be a contributing factor in the majority of sexual assault cases, therefore an active alcohol abuse prevention program is a must. Unit CDARs and Base Health, Safety and Work-Life staffs have tools available to assist.
7. Commanding Officers and Officer-in Charge must lead the sexual assault prevention program by example. By holding observances and personally participating in Sexual Assault Awareness Month (SAAM) and other routine and special events focusing on

sexual assault, unit commanders send strong signals to their crews that sexual assault prevention is at the top of the command's priority list.

8. Make sexual assault prevention educational and awareness materials readily available. Provide hot line phone numbers and email addresses to every member of the Coast Guard family. Additionally, post the hot line information (available through the local SARC) on public bulletin boards and other common areas.
9. Use vignettes and role-playing to make training sessions realistic. To the extent possible, use real-life examples and lessons learned.

CHAPTER 3 REPORTING OPTIONS

A. Supporting Victims.

The Coast Guard is committed to ensuring victims of sexual assault are protected, treated with dignity and respect, and provided ongoing support. In addition, the Coast Guard is dedicated to ensuring that persons who commit crimes are held accountable. To achieve these dual objectives, the Coast Guard SAPR Program offers two reporting options to active duty victims of sexual assault – Unrestricted and Restricted Reporting. Although the Coast Guard prefers Unrestricted Reports of sexual assault to activate victim services and pursue the alleged assailant, the Coast Guard also recognizes that Unrestricted Reporting may represent a barrier for some victims. Therefore, the Coast Guard provides an option for Restricted (confidential) Reporting which does not activate the official investigatory process. The victim decides whether to make an Unrestricted Report or Restricted Report. Restricted Reporting only applies to disclosures to the individuals specified in this Chapter.

B. Commanding Officer/Officer in Charge Involvement.

Commanding Officers/Officers in Charge have a responsibility to ensure community safety and due process of law.

1. Commanding Officers must manage all sexual assault incidents brought to their attention as Unrestricted Reports.
2. In cases where a Restricted Report is made to authorized individuals (i.e., EAPC/SARC, a Family Advocacy Specialist (FAS), a Victim Advocate (VA), or a Coast Guard/ DoD Health Care Provider (HCP)), the victim's privacy is protected and the Commanding Officer will not receive any details of the assault or identification of the victim.
3. A reporting system which promotes privacy and confidentiality for victims can have the effect of encouraging victims to come forward for assistance because they decide services would be helpful to them. Therefore, policy and procedure for both Unrestricted Reporting and Restricted Reporting must be strictly adhered to in order to protect victims, and to establish and maintain program credibility and stability.

C. Unrestricted and Restricted Reporting.

As noted above, Coast Guard members who are sexually assaulted during active duty service, regardless of when the incident may have occurred, have two reporting options as victims: Unrestricted and Restricted. Specific criteria for option election are described below. The victim's reporting option will be documented using the Victim Reporting Preference Statement (VRPS), Form CG-6095, Enclosure (2).

1. Unrestricted Reporting. A service member or civilian spouse sexually assaulted by their active duty service member spouse who is sexually assaulted and desires medical treatment, counseling, and/or an official investigation of his or her allegation can report the matter using official reporting channels (e.g., duty watch stander, supervisor, or the Chain of Command, local authorities, etc.). The Unrestricted Reporting option provides for immediate formal investigation by trained criminal investigators as well as the full range of protections to the victim including Military Protective Orders (MPO) and other

police and command protective actions, if necessary. It is the only option that may lead to offenders being held accountable for their actions.

- a. When a service member, who is not one of the designated individuals authorized to receive a Restricted Report, becomes aware that a sexual assault has occurred, that information is Unrestricted and the member must notify their chain of command. Per reference (d), CGIS must be notified immediately when an Unrestricted Report of sexual assault is received.
 - b. Notification shall also be made to the responsible SARC. NOTE: The SARC is normally the EAPC at the servicing Health, Safety, and Work Life (HSWL) Regional Practice (RP). The Family Advocacy Specialist (FAS) at the HSWL Regional Practice (RP) shall act as the SARC in the absence of the EAPC.
 - c. The SARC shall immediately arrange for a trained VA to assist the victim if a VA has not already been involved.
 - d. CGIS has sole responsibility for conducting the criminal investigation of a sexual assault allegation. Commands are prohibited from taking any formal or informal investigative action, to include preliminary inquiry or interview of alleged victims, suspects or witnesses regarding the assault. NOTE: A victim does not have to participate in a law enforcement investigation, but may be asked to sign a statement declining law enforcement assistance or any further prosecutorial actions (Waiver of Prosecution Letter).
 - e. Contact the assigned Command Staff Advisor/Human Resources Specialist in Commandant (CG-1214) for advice and guidance regarding any administrative actions deemed appropriate in assault cases involving civilian employees who are victims or alleged offenders.
 - f. Victims of sexual assault should not have their security clearance or ability to carry a Coast Guard-issued firearm suspended solely because they made an Unrestricted Report of sexual assault. Immediately coordinate with local medical providers to address any emergent or acute medical or mental health condition.
2. Restricted Reporting. Restricted Reporting allows a sexual assault victim to confidentially disclose the details of his or her assault to specific categories of individuals and receive advocacy, medical treatment and counseling without triggering the official Coast Guard investigative process and notification of the victim's command.
- a. Service members who are sexually assaulted (and civilian spouses sexually assaulted by their active duty service member spouse) who desire Restricted Reporting under this policy must report the assault only to an EAPC/SARC, an FAS, a VA, or a Coast Guard/ DoD HCP. Note: All HCPs at military facilities honor military Restricted Reporting. This does not apply to civilian medical providers or civilian medical facilities.
 - b. If the victim has disclosed his or her sexual assault to anyone other than an EAPC/SARC, FAS, VA, HCP, or Chaplain, the report is Unrestricted.
 - c. When a victim elects Restricted Reporting, the victim's disclosure of the assault to unauthorized individuals at anytime thereafter changes the report to Unrestricted.

- (1) A victim may seek support from and disclose the assault to civilian friends and family members, but the Coast Guard will treat as Unrestricted any subsequent report received from them or others relaying it.
 - (2) Restricted Reporting will still apply if a civilian friend or family member, acting on behalf of the victim, contacts anyone authorized to accept a Restricted Report. Restricted Reporting will be compromised if a civilian friend or family member (not affiliated with the military) contacts the command and discloses the sexual assault to anyone associated with the Coast Guard who is not authorized to receive a Restricted Report. It is incumbent on the victim to ensure their civilian friends and family members understand the consequences of revealing a Restricted Report to Coast Guard personnel not authorized to receive a Restricted Report.
- d. Service members who initially elect the Restricted Reporting option may change the report to Unrestricted at any time.
- (1) Forensic evidence collected under a Restricted Report will be stored (unprocessed) by CGIS Headquarters for at least 12 months from the report date if the report has not changed to Unrestricted during that time frame. If CGIS maintains custody of any forensic evidence collected, the decision to properly destroy those items will be at the discretion of CGIS after consultation with the servicing SJA's office.
 - (2) If the report changes to Unrestricted within 12 months of the Restricted Report, the forensic evidence will be retained for the duration of the investigation and legal process.
 - (3) If a report changes from Restricted to Unrestricted, the standard procedure for an Unrestricted Report will commence at that time.
- e. For afloat units, a victim does not have to be in his or her home port or have a Medical Officer (MO) on board in order to elect a Restricted Report.
- (1) MOs and Independent Duty Health Services Technicians (IDHS) are HCPs. MOs, IDHSs and VAs afloat are able to accept Restricted Reports, but only MOs can collect forensic evidence.
 - (a) A victim assigned to a vessel without an MO must elect Unrestricted Reporting if he or she desires to have forensic evidence collected, since he or she will have to be removed from the ship to do so.
 - (b) A victim assigned to a vessel that does not have a trained VA, MO or IDHS, may elect the Restricted Report option upon a port arrival (i.e., he or she retains the right not to disclose the incident while underway), but the ability to collect forensic evidence or to receive other services would likely be hindered and/or delayed due to the time that will transpire.
 - (2) The type of vessel the member is assigned to may affect the medical and emotional support available, since not all vessels have an MO, IDHS, or VA on board. To the extent possible, it is therefore strongly recommended that all

vessels have a trained VA on board to ensure that a victim completely understands his/her reporting options and to provide appropriate support services.

- f. Restricted reporting may not be an option if:
- (1) State law mandates that a report be made to the police agency that has jurisdiction where the assault occurred or was reported. In such jurisdictions the victim may be questioned by the police who may pursue the investigation and may notify CGIS regardless of the victim's wishes. A description of applicable State Laws can be found at www.sapr.mil, (click on "Law and DoD Policies," then click on "Civilian Sexual Assault Reporting Laws"). The SJA can provide advice whether state law applies in any particular place.
 - (2) It is determined that the victim or other person(s) would otherwise remain in serious and imminent danger if the crime is not reported. This decision is not to be made until the involved EAPC/SARC, FAS and/or HCP has consulted with the servicing SJA's Office. Note: the fact that there may be an unidentified offender at large does not trigger an "imminent threat" exception that would require converting a Restricted Report to an Unrestricted Report.
 - (3) The victim is incapacitated or otherwise unable to make a competent decision.
- g. If a victim reveals minor offenses in addition to the alleged sexual assault, that information will be subject to the same rules governing disclosure as the reported sexual assault. For example, although underage drinking is a violation of the Uniform Code of Military Justice (UCMJ), this information will not be released if the victim has chosen a Restricted Report. If there are questions or concerns regarding the seriousness of any offense (e.g., a felony has been committed), the person receiving the Restricted Report shall seek advice from the servicing SJA's Office (without revealing personal identifying information) and/or the SAPR Program Manager in Commandant (CG-1112).
- h. Unauthorized disclosures of Restricted Reporting by an EAPC/SARC, FAS, VA or HCP may result in administrative or disciplinary action.
- i. The Restricted Reporting option does not create any actionable rights for the alleged offender or victim, nor does it constitute a grant of immunity for any actionable misconduct on the part of the victim. Contact the servicing SJA's Office for further information.
- j. The EAPC/SARC, FAS, VA or HCP shall ensure that the victim is aware that, regardless of reporting preference, the information contained in the record may be disclosed to military or civilian courts under certain conditions when so ordered by a judge, or as otherwise required in federal and state law, or by international agreements.

D. Report Made to a Chaplain.

The policy on Restricted Reporting is in addition to the current protections afforded privileged communications (absolute and complete confidentiality) with a Chaplain, and does not alter or affect those protections.

1. Chaplains are not required to notify anyone about a sexual assault or handle paperwork as the EAPC/SARC, FAS, VA and HCP are required to do.
2. Disclosure to a Chaplain does not prohibit the election of a Restricted Report.
3. When a victim decides he or she desires to report his or her sexual assault, a Chaplain will notify the cognizant EAPC/SARC or FAS, but will not complete Enclosure (2) with the victim.

CHAPTER 4 GENERAL RESPONSE AND NOTIFICATION PROCEDURES

A. Purposes of Notification Requirements.

The purposes of the notification requirements described in this Manual are to:

1. Initiate the immediate official investigative process when appropriate.
2. Document the initiation and progress of a victim's case to ensure system accountability.
3. Identify treatment options recommended to or preferred by the victim.
4. Identify the final legal disposition.
5. Assist with identifying and managing trends, analyzing risk factors or circumstances, and taking action or making plans to eliminate or mitigate those risks as much as possible.

B. Sexual Assault Response Coordinator (SARC) Notification.

Sexual assault reporting procedures require SARC notification for all Unrestricted and Restricted Reports of sexual assault. The SARC, in turn, will assign a VA to assist the victim for at least an initial meeting, unless a VA is already involved in the case. SARCs and commands shall collaborate to ensure the appropriate contact information is available, and to maintain open lines of communication. If the SARC contact information is unknown or a VA or HCP is not readily available, the DoD Safe Helpline provides an anonymous, confidential crisis support service for adult service members who are victims of sexual assault. It is operated by the RAINN, and is available 24/7 world-wide to service members within all of the armed forces, including the Coast Guard. Service members can log on to www.SafeHelpline.org to receive live one-on-one confidential help with a trained professional through a secure instant-messaging format. Calling the telephone hotline (877-995-5247) allows users to speak with trained staff for personalized advice and support. Safe Helpline staff can also transfer callers to the Sexual Assault Response Coordinators (SARCs) in their area. Service members additionally have the option of texting their location to 55-247 in the U.S. and 202-470-5546 outside the U.S. to receive automated contact information for a SARC. Note: Disclosure of a sexual assault to a Safe Helpline staff member/victim advocate does not include personal identifying information (other than service affiliation), and therefore protects the option for Restricted Reporting.

C. Reporting Option Advisement and VRPS Documentation.

Once any urgent medical injuries have been treated, the HCP, EAPC/SARC, FAS, or VA shall advise the victim of the two reporting options, explaining the benefits and limitations of each, and document the reporting option the victim selects using Enclosure (2).

1. For a Restricted Report the EAPC/SARC, FAS, VA, or HCP must ensure that a victim has not disclosed the assault to any service member or to law enforcement. Note: A victim may disclose the incident to a Chaplain and still make a Restricted Report.
2. For a Restricted Report the EAPC/SARC, FAS, VA, or HCP must advise the victim to explain his or her choice of reporting option to any civilian friend or family members who are aware of the assault.

3. For an Unrestricted Report, a service member may disclose information about the assault to anyone they choose.

D. Coordinated and Timely Response.

Responding to the needs of the victim, once identified, will require a coordinated approach to include the victim's command and CGIS (in those cases in which the victim has chosen the Unrestricted Reporting option), as well as the EAPC/SARC, FAS, HCP, and VA. In order to ensure a reasonable response time, it is critical that the EAPC/SARC, FAS, VA, or HCP is able to meet with the victim and be fully capable of explaining Enclosure (2). Each EAPC/SARC, FAS, and HCP must be thoroughly familiar with all applicable laws and local procedures in order to provide the victim an accurate description of his or her rights and options. The chain of command shall never fill out Enclosure (2) with a victim (this would eliminate the victim's ability to elect Restricted Reporting); only the EAPC/SARC, FAS, VA, or HCP shall perform this task, after which Enclosure (2) is forwarded to the cognizant SARC.

E. Non-Coast Guard Military Treatment Facility.

When a service member is treated at a non-Coast Guard Military Treatment Facility (MTF), the initial sexual assault response procedures of that military service will apply. Normally, the service's SARC will contact the responsible Coast Guard SARC to report the case.

1. The EAPC/SARC will work with the DoD SARC to determine an initial follow-up care plan that best meets the needs of the victim.
2. The EAPC/SARC is responsible for ensuring proper management of the case per this Manual, but depending on the location, the DoD SARC may continue to be involved.

F. Medical Examination/Forensic Evidence Collection.

At the victim's discretion or request, the HCP, VA, EAPC/SARC, or FAS shall arrange for the victim to have either a medical examination to ensure overall health (e.g., sexually transmitted infections, pregnancy, etc.) and/or to have forensic evidence collected. To safeguard the victim's identity in Restricted Reporting cases, the Work-Life Information Management (WIMS) Incident Number assigned to the case will be used to label the evidence collected by a DoD or Coast Guard HCP. If unable to access the WIMS electronic database, the number can be manually assigned by the EAPC/SARC on Enclosure (2), and used to label the evidence collected.

G. Restricted Report Evidence Collection.

Evidence in Restricted Reporting cases will be forwarded to CGIS Headquarters as soon as possible; evidence shall be retained for at least 12 months after the assault was reported. The evidence in Restricted Reporting cases is not processed (stored only) unless the victim changes his or her report to Unrestricted. In order to preserve evidentiary value and the chain of custody, only the victim should handle the non-forensic medical evidence. The victim should understand the importance of not hampering potential evidence collection. The victim should avoid bathing, brushing his or her teeth, changing clothes, eating, drinking (even water), or cleaning in any way prior to the packaging/collection of those items that may contain forensic evidence. The EAPC/SARC can help provide proper collection items (e.g.,

paper bags, boxes, etc.) for the victim's use if those items are not collected in a sanitary medical hospital/facility.

H. Restricted Report and Victim Safety.

When a victim requests Restricted Reporting and there are concerns regarding imminent threat and safety, the HCP, EAPC/SARC, or FAS must consult with the servicing SJA's Office before deciding to deny the victim's request for Restricted Reporting. VAs will provide information about safety issues to the EAPC/SARC, FAS, and/or HCP, but will not participate in the final reporting decision.

I. Unrestricted Reporting Notifications.

If at any time a victim elects to change his or her reporting preference from the Restricted to the Unrestricted Reporting option and has signed a new Enclosure (2), indicating that change, the EAPC/SARC shall immediately notify the victim's command, the servicing SJA's Office, and CGIS, and an initial report shall be submitted to the SAPR Program Manager.

J. Local DoD MTF/Civilian Facility Procedures.

Collaboration with DoD MTFs and the military branch sexual assault prevention and response personnel and civilian medical facilities will be essential in many incidents. Coast Guard HCPs, EAPCs/SARCs, FASs and VAs will need to be familiar with the local civilian facilities or MTF's procedures and prepared to act as a liaison with the treatment facility's personnel in each case, as applicable, to ensure assistance and advocacy for victims covered under this Manual.

CHAPTER 5 UNIT LEVEL GUIDE FOR COMMANDING OFFICERS AND OFFICERS-IN-CHARGE

A. Command Climate of Prevention.

Preventing and responding to sexual assault is a leadership issue, and Commanding Officers (CO) and Officers-in-Charge (OIC) and their civilian counterparts shall create a command climate of prevention which promotes mutual respect and trust, appreciation for diversity, and affirms the contributions of all personnel. Commands shall foster this climate by:

1. Emphasizing that sexual assault is a serious crime punishable under the Uniform Code of Military Justice (UCMJ) as well as other federal, state and local criminal statutes.
2. Advising members that sexual assault is incompatible with the Coast Guard's Core Values and the Coast Guard Ethos. Sexual assault ultimately destroys unit cohesion and trust that is essential for mission success.
3. Assessing the unit's command climate and responding with appropriate action toward any negative trends that may emerge.
4. Ensuring that all unit personnel receive annual Sexual Assault Prevention Training as required by this Manual.
5. Ensuring that all supervisors, civilian and military, are familiar with this Manual and place a high priority on both preventing and appropriately responding to sexual assaults as described in this Manual. While this Chapter places the responsibility with the CO/OIC to carry out specific tasks, supervisors, both civilian and military, are responsible for ensuring these tasks are carried out for their personnel under the direction of the CO/OIC.

B. Notifications.

1. Commands shall immediately notify CGIS when an Unrestricted Report of sexual assault is received.
2. Commands shall notify the servicing EAPC/SARC of all reports of sexual assault immediately after being informed of an allegation. Information shall be provided to the EAPC/SARC for the purpose of meeting the initial, monthly and final update requirements of Chapter 6. H. in this Manual.
3. Persons involved in the reporting, investigation, and victim support processes must exercise great care to protect the victim's privacy and should not disclose the identity of the victim beyond those who have a need to know to perform their duties. Family notification, as desired, shall only be made by the victim or at the victim's request.

C. Commander's Checklist.

All COs/OICs shall use Enclosure (3) when responding to a report of a sexual assault.

D. Victim Advocates.

1. COs/OICs should designate command member(s) as VA(s) to provide immediate response capability in the event of a sexual assault.

- a. Commands are strongly encouraged to have at least one VA, especially on afloat units where access to an EAPC/SARC or other trained resource is limited.
- b. VAs designated by the command shall be mature, approachable, and of an appropriate rank to manage the sensitive nature of the topic as well as the level of confidentiality needed for the role.
- c. COs/OICs shall ensure that all persons designated to become VAs are screened, approved, and trained by the EAPC/SARC in the Coast Guard-specific VA training.
- d. Prior to assuming VA duties, each supervisor of a VA shall sign Enclosure (4) and each VA shall sign Enclosure (5).
- e. COs/OICs shall ensure that the VA competency/qualification code is recorded per Reference (g) for each service member trained as a VA in their command after the VA is certified by the EAPC/SARC. The EAPC/SARC will provide written documentation to a command that the VA has satisfied the training requirements for the VA competency code.
- f. COs/OICs shall ensure VAs provide support to victims per Enclosure (6), and as directed by the EAPC/SARC.
- g. COs/OICs shall provide necessary support for the VA to carry out his/her responsibilities, including reimbursement for authorized travel expenses.
- h. Commands shall ensure that unit personnel are provided with the names of all VAs assigned to the unit and/or within their area of responsibility (AOR).

E. Mandated Training.

COs/OICs shall ensure completion of annual mandatory training on sexual assault prevention and the correct use of this Manual by all unit personnel, both military and civilian, including assigned Coast Guard Chaplains and Public Health Service Officers detailed to the Coast Guard. Whenever possible, invite the unit Ombudsman to sit in on the training as knowledge of the SAPR Program may be helpful for them in their role. The training must provide active service members with an understanding of the reporting options and the procedures used to ensure confidentiality. This training should be provided by the EAPC/SARC whenever possible, and is also available online.

F. Considerations for Command Action/Response.

COs/OICs shall consider the following items when responding to a report of a sexual assault and exercise their command discretion.

1. Not taking action on a victim's collateral misconduct (e.g., minor offenses such as underage drinking) until the final disposition of the sexual assault case to ensure priority is placed on the sexual assault and not the collateral misconduct.
2. That consumption of alcohol by the victim could be regarded as an alcohol-related situation rather than as an alcohol incident. The victim may be referred for alcohol treatment screening on a case-by-case basis, if warranted.
3. Use of a Military Protective Order, Form CG-6070. It may be appropriate to bar the alleged offender from contact with the victim. In cases under investigation by CGIS, the

use of an MPO shall be coordinated between the unit, the servicing SJA's Office, and CGIS to ensure that any on-going investigative activity is not compromised or otherwise hampered.

4. Reassignment of the victim if requested by the victim or is in the victim's best interest, may be appropriate based on the needs of the mission and the victim's performance, and does not compromise or hamper ongoing investigative activity by CGIS; for cases under investigation, coordinate with CGIS, the servicing SJA's Office, and the Coast Guard Personnel Command prior to reassignment. Note: Often victims do not want to be transferred as their support system is at their unit and they may view a transfer as a punitive measure for reporting a sexual assault.
5. Reassignment of the alleged offender when it is in the best interest of the victim and the unit.
 - a. Consult with the servicing SJA's Office and Coast Guard Personnel Command.
 - b. Coordinate with CGIS to ensure that any on-going investigative activity is not compromised or otherwise hampered.

G. Support Services for the Alleged Offender.

1. The command should monitor the well-being of the alleged offender, particularly for any indications of suicidal ideation, and ensure appropriate intervention occurs. Additionally:
 - a. Command representatives shall not interview the alleged offender about the incident, other than a limited inquiry to ascertain safety issues. Investigative interviews of alleged offenders, victims, and witnesses in suspected incidents of sexual assault shall only be conducted by CGIS Special Agents. However, commands may make a limited initial inquiry for safety purposes (e.g. to determine if the alleged offender poses an imminent threat to themselves or to others; or any personnel require immediate medical attention). Commands must not ask detailed questions and/or pressure the alleged offender for responses or information about the reported incident.
 - b. The alleged offender is innocent until proven guilty in a legal proceeding.
 - c. The alleged offender will be afforded due process, and treated with respect and with appropriate care and concern at all times.
 - d. Information about the alleged offender and the incident is to be closely monitored. Only those who have an official "need to know" are to have access to this information.
2. In instances where the alleged offender has been reassigned to another unit due to an allegation of sexual assault, unit commanders, in consultation with their servicing SJA's office should consider:
 - a. Assigning the alleged offender meaningful work, appropriate to rate/rank.
 - b. Having the alleged offender work in a public or open area, and not in an otherwise isolated or private area where there could be unsupervised contact with other members.

- c. Restricting the alleged offender's ability to mentor or work one-on-one with junior personnel.
 - d. Removing the alleged offender's access to Direct Access (DA), and other secure internet sites to ensure he or she has no privileged access to victim information, location, or status.
3. Commands shall ensure additional support resources (e.g., counseling, Chaplain, Employee Assistance Program (EAP), etc.) are made available to the alleged offender who may be experiencing emotional distress due to the incident.

CHAPTER 6 ROLES AND RESPONSIBILITIES

A. Commandant (CG-11).

Commandant (CG-11) shall promulgate policy and guidance regarding the CG SAPR Program.

B. Commandant (CG-111).

Commandant (CG-111) shall:

1. Provide oversight of policy and procedure implementation as described herein.
2. Collaborate with COs, the HSWL SC, HSWL RMs, and Coast Guard Medical personnel to ensure compliance with this Manual.
3. Coordinate with CGIS and the Judge Advocate General's Office of Military Justice (CG-0946) as needed.

C. Sexual Assault Prevention and Response (SAPR) Program Manager (PM).

The SAPR PM, Commandant (CG-1112) shall:

1. Administer the Coast Guard's SAPR Program. The SAPR PM holds ultimate program management and coordination authority of the SAPR Program service-wide.
2. Promulgate policy and guidance regarding the Coast Guard's SAPR Program.
3. Respond to questions and queries regarding the policy within this Manual.
4. Coordinate with CGIS and the Judge Advocate General's Office of Military Justice (CG-0946) as needed.
5. Establish standards, objectives, consistent policies and procedures for the SAPR Program and collaborating CG directorates, which have direct impact on sexual assault victims and offenders.
6. Work in conjunction with Force Readiness Command (FORCECOM) and the HSWL SC staff to ensure that standardized curricula for professional development of personnel is developed and presented for effective implementation of the SAPR Program policy, to include Mandated Training (MT), VA Training and case management procedures.
7. Arrange for or provide training on the requirements of this Manual to field elements to ensure adequate and appropriate implementation, including the three-day initial Coast Guard SARC Training to all staff fulfilling the duties of a SARC.
 - a. The SAPR PM shall develop and disseminate any other potential training curriculum that may be necessary to effectively implement the SAPR Program in the field.
 - b. The SAPR PM shall ensure that personnel in SAPR Program positions have the capacity and resources to provide training regarding sexual assault issues.
 - c. The SAPR PM shall qualify EAPC/SARCs (or any other HSWL personnel) to facilitate VA Training.
8. Advise and collaborate with the Coast Guard Academy and all Training Center staffs on all policy, training, issues and reports related to sexual assault at these institutions, to

ensure that lifelong understanding of the SAPR program commences at these accession points.

9. Monitor the receipt of reports of all alleged sexual assault incidents from EAPCs/SARCs and FASs, via WIMS, and Enclosures (7) and (8) if WIMS is not available, for Unrestricted and Restricted Reports (required within 48 hours).
10. Ensure the establishment of a reporting system to evaluate statistical data for training purposes and for monitoring the effectiveness of the SAPR Program.
11. Prepare the Annual Report on Sexual Assault in the Coast Guard, in collaboration with CGIS, as mandated by the Coast Guard Authorization Act of Fiscal Year 2010, as well as compile any other requested information related to the SAPR Program.
12. Collaborate with HSWL SC staff on a unified SAPR Program Quality Assurance (QA) review process to ensure provision of quality services, and conduct peer review of the EAPC/SARC's case management work while serving as a member of the QA Team.
13. Oversee all SAPR Program prevention activities and training initiatives throughout the Coast Guard, and collaborate with myriad stakeholders (e.g., Commandant (CG-092S), HSWL SC) to develop and implement them.
14. Provide technical guidance to field staff (e.g., EAPC/SARC, FAS, HCP, etc.) on the SAPR Program.
15. Maintain a collaborative working relationship with the DoD Sexual Assault Prevention and Response Office (SAPRO), and membership on the relevant committees and projects.
16. Establish viable working relationships with outside organizations that may affect or impact the CG SAPR Program.
17. Collaborate with the HSWL SC and HSWL Regional Managers (RM) on all interviews for hiring personnel for the role of SARC or EAPC/SARC to ensure incoming staff possess adequate sexual assault experience.
18. Collaborate with the RMs when specific issues arise regarding administration and duties of the SAPR Program within their AORs.
19. Provide Commandant (CG-111) with current or emerging information which may impact decision making relative to the SAPR Program.

D. Coast Guard Investigative Service (CGIS) Headquarters (CG-2-CGIS).

Commandant (CG-2-CGIS) shall:

1. Ensure CGIS field units initiate and report formal criminal investigations of all alleged, suspected or actual incidents of sexual assault reported to CGIS as an Unrestricted Report per CGIS policy and procedures.
2. Ensure all CGIS field elements immediately notify the appropriate EAPC/SARC upon receipt of the initial report of an allegation of sexual assault, and note that contact in their reports.
3. Ensure all CGIS investigative personnel are trained on the requirements of this Manual.

4. Centrally manage the storage of evidence gathered in Restricted Reporting cases, to include Victim's Sexual Assault Evidence Collection Kits, until the victim decides to initiate the official investigative process or until the one-year anniversary date of receipt of the evidence by CGIS Headquarters, whichever comes first. The Restricted Reporting Evidence Tracking and Management Process, Enclosure (9), provides information on the management of evidence collected in Restricted Reporting cases.
5. Liaise with external investigating law enforcement agencies in all cases as appropriate under this Manual.
6. Ensure that CGIS Special Agents advise all victims on the option to have a trained CG VA, or other support person of his/her choosing, present during any interview. If the victim requests a VA, or other support person, ensure that reasonable efforts are made for that person to be present during any interview or medical procedure if this can be accomplished without unduly delaying the investigation.
7. Coordinate the transfer of any evidence held in Restricted Reporting cases for laboratory analysis when the victim chooses the Unrestricted Reporting option.
8. Report annual fiscal year statistics on sexual assault reports to the SAPR PM as needed to meet the reporting requirements and deadlines created by the Coast Guard Authorization Act of 2010, as well as compiling or reporting relevant information as needed or required.
9. Collaborate with the SAPR PM.

E. Command Chaplains.

Chaplains shall:

1. Provide and/or coordinate appropriate spiritual care and/or referral services, if requested by the victim.
2. Ensure all Chaplains receive annual mandatory training on implementation of this Manual, which shall be provided or coordinated by the EAPC/SARC.
3. Explain the SAPR Program reporting options to victims and provide information on how to contact the local EAPC/SARC and/or a VA if the victim desires any further assistance (e.g., medical, counseling, advocacy, etc.) in addition to Chaplain involvement.
4. Explain to victims and other personnel working with victims that Chaplains are not required to make notifications or submit paperwork as the EAPC/SARC, FAS, HCP or VA are required to do. Chaplains will not explain or have the victim sign Enclosure (2) as that is the role of the EAPC/SARC, FAS, VA or HCP.
5. Explain to victims and other personnel working with victims that the EAPC/SARC, FAS, HCP, VA and Chaplain may all be working with a sexual assault victim on either a Restricted or Unrestricted case, but only the victim's communication to the Chaplain carry an absolute privilege.

F. Health, Safety and Work-Life Service Center (HSWL SC).

HSWL SC shall:

1. Develop a unified SAPR Program Quality Assurance (QA) review process with the SAPR Program Manager to ensure provision of quality services that encompasses an

Operational Medicine/Healthcare Process Assessment Program (OPMED/HPAP) process for clinics and HCPs, and a Work-Life QA process for the EAPC/SARC and FAS.

2. Conduct QA reviews (as needed or as scheduled) of the SAPR Program to ensure compliance by field staff with this Manual.
3. Develop and implement standard operating procedures for the SAPR Program with the SAPR PM.
4. Include the SAPR PM on the hiring panel for any SARC or EAPC/SARC vacancies to ensure that new personnel possess adequate sexual assault prevention and response program experience, and that new hires receive the required training outlined in Chapter 6.H.
5. Collaborate with the SAPR PM to ensure all SARCs are in compliance for report entries on all alleged sexual assaults within their area of responsibility.
6. Work in partnership with the SAPR PM to ensure field office personnel are provided adequate training to perform all the requirements of their jobs (e.g., CG SARC Training and CG Victim Advocate Training).
7. Ensure that the EAPC/SARC, FAS, HCP, and VA understand that they may be required to testify in judicial proceedings related to a reported sexual assault.

G. HSWL Regional Managers (RM).

The HSWL RM shall:

1. Upon notification that a sexual assault has been alleged, notify the EAPC/SARC as soon as possible, and confirm that CGIS has been notified as the report must be Unrestricted since the chain of command is involved.
2. Ensure that the EAPC/SARC enters the required initial, monthly updates and final report on all alleged sexual assaults within the area of responsibility via WIMS, per Chapter 6.H. The EAPC/SARC must also maintain a locked file (until/unless WIMS is capable of securing scanned forms) of the signed Victim Reporting Preference Statement Forms, (Form CG-6095) that all victims must sign when disclosing a sexual assault. If the WIMS electronic database is unavailable, the EAPC/SARC will submit Unrestricted Reports via Enclosure (7) and Restricted Reports with Enclosure (8).
3. Provide guidance per this Manual in the event the EAPC/SARC or FAS is not available.
4. Refer to the SAPR PM for technical guidance.
5. Ensure that all field office personnel performing the duties of a SARC have received the required initial Coast Guard SARC Training.
 - a. If an untrained SARC (EAPC or FAS) receives a report of a sexual assault, he or she should immediately seek guidance from a trained SARC.
 - b. Unless notified differently by the SAPR PM and/or there is no dedicated SARC at the location, EAPCs shall act as the primary SARCs, and FASs shall act as the secondary SARCs. If neither the EAPC nor FAS is available, then another staff member who has attended the initial Coast Guard SARC Training may act in the capacity of a SARC.

- c. Consult with the SAPR PM on the selection of additional personnel (other than the EAPC and FAS) to be cross-trained to perform SARC duties.
- 6. Coordinate directly with the appropriate SJA's Office to facilitate creation of agreements with civilian medical facilities to retain and maximize victim's reporting options described in this Manual.
- 7. Ensure that all EAPC/SARCS train their local SJAs on the requirements of this Manual and advise the victim and any witness (es) of their rights under the Victim Witness Assistance Program, per Reference (b).
- 8. Ensure that Coast Guard HCPs are trained annually on the requirements of this Manual. The training should include responding to a victim when a report is made and the HCPs role as an authorized individual to accept Restricted Reports.
- 9. Include the SAPR PM on the hiring panel for any EAPC/SARC or SARC vacancy in their AOR to ensure that new personnel possess adequate sexual assault prevention and response experience.

H. Employee Assistance Program Coordinator/Sexual Assault Response Coordinator (EAPC/SARC).

The EAPC/SARC shall:

- 1. Complete required training.
 - a. Receive, at a minimum, the initial Coast Guard SARC Training within one year of hiring, and a minimum of 8 hours annually thereafter.
 - b. Attend the Coast Guard VA Training at the earliest opportunity.
 - c. Become certified as a VA trainer by completing the initial Coast Guard SARC Training and Coast Guard VA Training, followed by successfully co-facilitating a VA Training with either the SAPR PM or another certified VA Trainer (with approval from the SAPR PM).
 - d. The SAPR PM and HSWL SC must be kept apprised by the HSWL RP of any field specialist working toward certification as a VA Trainer. The SAPR PM is the ultimate authority as to whether a staff member will achieve certification as a VA Trainer.
 - e. The SAPR PM and HSWL SC must be notified by the HSWL RP of all scheduled VA Trainings.
 - f. Two certified trainers shall facilitate every VA Training unless a waiver has been requested and approved by the SAPR PM.
- 2. Administer the SAPR Program
 - a. EAPC/SARCs shall use Employee Assistance Program Coordinator/Sexual Assault Response Coordinator as their title; all others trained and performing SARC duties shall reflect the SARC title in their email signature blocks, out-of-office replies, and voice mail greetings.

- b. When unavailable or out-of-the-office, the EAPC/SARC must provide valid contact information for another trained SARC to ensure that any victim of sexual assault can consistently reach someone for assistance.
- c. Make Notifications.
 - (1) Ensure that the victim's CO/OIC, the servicing legal office of the victim's command, and CGIS are notified immediately in all cases where the victim elects an Unrestricted Report on Enclosure (2), or if the victim has already notified the chain of command, another active duty member who is not one of the designated individuals authorized to accept a Restricted Report, or if law enforcement is involved.
 - (2) Report to the SAPR PM all alleged sexual assault incidents via WIMS for Unrestricted Reports as well as Restricted Reports, using the WIMS Incident Number. If the WIMS electronic database is unavailable, Unrestricted Reports will be reported with Enclosure (7) and Restricted Reports with Enclosure (8).
 - (a) An initial report is required within 48 hours, followed by monthly updates, with a final report submitted upon resolution of the case. Final reports shall only be made after the victim has consented to case closure for both Unrestricted and Restricted cases, including legal resolution in Unrestricted cases.
 - (b) The WIMS electronic database will assign an Incident Number to every new case entered, and that is the number used for identification of that case. If the WIMS electronic database is unavailable, the EAPC/SARC will generate a number on Enclosure (2), by following the format identified at the bottom of page 1 of Enclosure (2). The format is as follows: three letters to represent Work Life Office, followed by four digit year, followed by two digit month, then two digit day, and finally two digit SARC initials with spaces between each segment (e.g. CLE 2011 04 21 DC, which translates to Cleveland on 21 April 2011 with SARC initials).
 - (3) For Coast Guard Reservists with a Restricted Report requiring medical attention and no longer on active duty, the EAPC/SARC will:
 - (a) Confirm via Direct Access that the victim was on active duty at the time of the assault.
 - (b) Identify the treatment provider.
 - (c) Contact the HSWL SC and request that the HSWL SC authorize the Military Medical Support Office (MMSO) to pay the bills. The victim's diagnosis shall not be divulged to anyone.
 - (4) Notify CGIS immediately if a victim who previously requested Restricted Reporting now requests Unrestricted Reporting. If the case involves evidence in storage, this report must include the victim's identifying information, the WIMS-generated Incident Number specific to the case, and the Preliminary Inquiry Case Control Number (PI CCN) previously provided by CGIS Headquarters. If the WIMS electronic database is unavailable, use the EAPC/SARC-generated

Incident Number per Enclosure (2).

- (5) Collaborate with the SAPR PM and HSWL SC to review information on sexual assaults, and develop non-identifying information regarding these incidents (e.g., patterns, locations, personnel, behaviors, risks, and other factors). This would enable COs/OICs to provide informational advisories or other warnings to members, and alert appropriate individuals, including sector and district commanders, regarding potential risks. CO/OIC actions to mitigate these risks may include restricting members from certain locations, holding mandatory educational sessions, or any other action intended to ensure a safer environment for members.
3. With the victim's consent, notify the receiving EAPC/SARC when a victim transfers to a new Work-Life office AOR to ensure identification of appropriate support options and follow up services.
 - a. Offer Victim Assistance.
 - (1) Explain Enclosure (2) to all active duty victims, reservists in active duty status, or a civilian spouse if sexually assaulted by their active duty service member spouse. Note: This responsibility may be delegated to a VA, FAS or HCP in those situations where the VA, FAS or HCP see the victim first.
 - (a) Ensure victims understand all available reporting options, including the limitations of Restricted Reporting.
 - (b) Provide an opportunity for the victim to select an option if both options are still viable.
 - (c) Ensure victims understand that Restricted Reports do not allow for the protections offered under Unrestricted Reporting, such as an MPO, and that they may have continuing contact with the abuser.
 - (d) Complete Enclosure (2) for all eligible victims.
 - (e) Ensure the victim initials all fields to acknowledge full understanding of the two reporting options. Note: If a victim refuses to sign Enclosure (2) the report must be Unrestricted.
 - (f) Explain the entire form even if an Unrestricted Report is the only option (e.g., law enforcement already involved or chain of command notified by the victim) to ensure the victim understands the reason that a Restricted Report is not available to them.
 - (2) Assign the services of a VA to the victim for at least an initial meeting. The gender of the VA should not be considered an issue except while in attendance at a medical or forensic examination or the victim specifically requests an advocate of the same gender, in which case the request should be honored if at all possible. NOTE: Best practice has demonstrated that the demeanor of the VA is more important than gender, so assumptions are not to be made that a female victim needs a female advocate or that a male victim needs a male advocate.
 - (3) Inform/ensure the victim is informed of their rights under federal law, 18 USC § 3771(a). These rights are listed on page 2 of Enclosure (2).

- (4) Explain to the victim any applicable State Laws and associated investigatory practices in sexual assault cases, including laws that may require, despite the victim's preference, reporting the offense to the local police department where the offense occurred, and that the police department may notify CGIS. Note: EAPC/SARCs must be familiar with all laws and regulations regarding sexual assault issues within their AOR, and are responsible to ensure that their VAs are knowledgeable of applicable laws and regulations as well. It is imperative that the EAPC/SARC contact the local servicing CGIS Office to discuss basic associated investigatory practices so that accurate information is presented to victims.
 - (5) Inform the victim of his or her right to contact law enforcement authorities, and that CGIS will be notified on all Unrestricted Reports. Note: The victim retains the right to not participate in a law enforcement investigation, but may have to sign a letter declining these services. Victims must also understand that although they chose to not participate with a criminal investigation, the sexual assault allegations may still be investigated until all leads are brought to the logical conclusion and the case is closed.
 - (6) Provide initial crisis intervention and sexual assault information and/or handouts to victims and secondary victims (e.g., families, significant others, friends).
 - (7) Advocate for the victim and provide appropriate information as requested or relevant for personnel related processes (e.g., Physical Disability Evaluation Boards (PDES) and Fitness for Duty (FFD) examinations). Confer with local CG Medical Officers if not familiar with PDES and FFD processes. Alternatively, contact the Personnel Support Command or Medical Facility directly for general guidance on these issues. This is particularly applicable in cases involving Restricted Reporting, but the victim's consent for the release of this information shall be obtained in writing. Such disclosure, by itself, does not change the victim's reporting option in Restricted cases.
 - (8) Involve the SAPR PM for specific questions regarding subject matter expertise or when issues arise with victims/cases that require additional involvement.
 - (9) Collaborate with other military service SARCs in their AOR to ensure coordination of services as needed.
- b. Manage Cases.
- (1) Enter all alleged sexual assaults into WIMS within 48 hours of notification. If the WIMS electronic database is unavailable, submit reports to the SAPR PM using Enclosure (7) or Enclosure (8).
 - (2) Perform case management monthly on all cases to ensure the victim continues to receive services. If the case does not involve a CG victim, but involves a CG member alleged to have committed a sexual assault, only an initial report and final report are required (upon legal resolution of case).
 - (3) Contact all involved parties (e.g., law enforcement, medical, legal, command, etc.) monthly to ensure that all services are coordinated and in the best interests of the victim.

- (4) Enter monthly updates into WIMS with the appropriate and required information documented. If the WIMS electronic database is unavailable, submit reports to the SAPR PM using Enclosure (7) or Enclosure (8).
 - (5) Enter a final report into WIMS with victim consent for both Unrestricted and Restricted cases, noting the victim's consent for closure, and the resolution of any legal involvement in Unrestricted cases. If the WIMS electronic database is unavailable, submit reports to the SAPR PM using Enclosure (7) or Enclosure (8).
 - (6) Ensure all notes within the sexual assault reports are concise, factual, and directly related to coordination of services. Note: Case files can be subpoenaed, so only factual notes pertaining to the coordination of services are to be recorded.
 - (7) Maintain signed copies of Enclosure (2) forms in a locked environment. These Enclosure (2) forms shall be maintained in a locked environment until/unless WIMS possesses the capability to store electronic scanned copies of the signed Enclosure (2) forms within its system.
 - (8) Until/unless the WIMS electronic database can manage all reports and paperwork, a paper file for each victim will be maintained in a locked environment. Each file will contain Enclosure (2), the initial report submitted to the SAPR PM, as well copies of the submitted follow-on monthly reports and final report.
 - (9) Consult with the servicing SJA's Office prior to releasing any information related to a case when the Restricted Reporting option has been selected, or when the request comes from a military or civilian court.
 - (10) Ensure that the victim is aware that, regardless of reporting preference, the information contained in the record may be disclosed to military or civilian courts under certain conditions when so ordered by a judge, or as otherwise required in federal and state law, or by international agreements.
- c. Provide Information and Guidance on Medical Examinations, Forensic Examinations, and Evidence Collection.
- (1) Advise all victims that they may have a medical exam for overall health (e.g., sexually transmitted diseases, pregnancy, etc.) and/or may elect to participate in a Sexual Assault Forensic Examination (SAFE) to have evidence collected in the event they choose to pursue prosecution of their offender.
 - (a) Forensic evidence can be collected for either Unrestricted or Restricted Reports, but is not processed (only stored) when the report is Restricted.
 - (b) Collection of forensic evidence should occur within 72 hours. The decision to collect forensic evidence after 72 hours can only be made by the involved law enforcement entity if they have reason to believe viable evidence may still exist, and only pertains to Unrestricted cases as law enforcement would not be involved in Restricted cases.
 - (2) Advise victims not to hamper potential evidence collection by bathing, brushing his/her teeth, changing clothes, eating, drinking, or cleaning in any way prior to the forensic examination.

- (3) In Restricted Reporting cases, advise the victim to collect all clothing worn during or after the assault, and other materials (such as sheets, blankets, etc.) that may have evidence on them for transfer to CGIS Headquarters for storage. If there is any question about whether an article or item has evidence on it, include it with the collection package.
 - (a) Consult with the CGIS Headquarters Sex Crimes Program Manager (without revealing the victim's personal identifying information) regarding the best methods for handling and packaging specific evidence (e.g., paper bags rather than plastic bags).
 - (b) Do not handle evidence. Note: Only the victim should handle the evidence to preserve evidentiary value and the chain of custody. The EAPC/SARC, FAS or VA may accompany the victim, but are not to involve themselves in the chain of custody. In Unrestricted Reporting cases, CGIS Special Agents will be responsible for ensuring collection and proper handling of such evidence.
- (4) With the victim's consent, arrange whenever possible (and in collaboration with local Coast Guard medical staff as every AOR has different protocol and resources), for a qualified medical person to collect forensic evidence from the victim using the appropriate Victim's SAFE Kit.
- (5) Explain to the victim that in Restricted Reporting cases the evidence collected will be kept unprocessed in storage for at least 12 months after the Restricted Report was made, and will be available during that time should the victim choose Unrestricted Reporting.
- (6) Ensure that any evidence collected under Restricted Reporting, to include the completed Victim's SAFE Kit, is forwarded via overnight express delivery directly from the medical facility that collected it to CGIS Headquarters per Enclosure (9) for storage. Use only the assigned WIMS generated (or EAPC/SARC generated) Incident Number to identify the evidence. Note: Only the victim should handle the evidence to preserve the chain of custody.
- (7) Ensure that the CGIS PI CCN, created at the time CGIS Headquarters receives the evidence, is recorded in the victim's case record in Restricted Reporting cases involving forensic evidence.
- (8) Contact victims, in Restricted Reporting cases, six and eleven months after forensic evidence was collected to confirm the victim's decision not to pursue an Unrestricted investigation.
- (9) Provide written notification to CGIS twelve months after evidence was collected that the victim did not elect Unrestricted Reporting. The written notification must Reference the WIMS generated (or EAPC/SARC generated) Incident Number and CGIS PI CCN. CGIS Headquarters may then destroy all evidence associated with the Referenced Incident Number and CGIS PI CCN.
- (10) Contact the CGIS Headquarters Sex Crimes Program Manager immediately if a victim who previously requested Restricted Reporting now requests Unrestricted Reporting. If the case involves evidence in storage, this report must include the victim's identifying information, the WIMS generated (or EAPC/SARC

generated) Incident Number specific to the victim, and the Preliminary Inquiry Case Control Number (PI CCN) previously provided by CGIS Headquarters. Upon receipt of this information, CGIS Headquarters will notify the appropriate CGIS field office to initiate a criminal investigation and initiate transfer of any evidence collected under Restricted Reporting, including the Victim's SAFE Kit, to the appropriate laboratory for analysis.

- (11) There must be a safety plan (verbal or written contingency plan) in place before the victim and anyone accompanying the victim returns to a crime scene to ensure that they are not entering into an unsafe situation.

d. Apply VA Standards and Qualifications.

(1) Ensure personnel designated to act as VAs:

- (a) Obtain supervisors approval using the Victim Advocate Supervisor Statement of Understanding, Enclosure (4).
- (b) Sign the Victim Advocate Statement of Understanding, Enclosure (5).
- (c) Complete the Coast Guard VA training to obtain the VA competency code.
- (d) Understand the requirements contained in this Manual.
- (e) Complete eight hours of annual mandatory refresher training provided or arranged by the EAPC/SARC.

(2) Recruit and screen VAs within the AOR using the Victim Advocate (VA) Prescreening Process, Enclosure (10), to cover expected needs and to allow for 24/7 response for sexual assault victims. Criteria for applicant selection include:

- (a) The resolution of any unresolved issue with sexual assault, especially if recent (e.g., within the last year). If the potential VA understands the graphic nature of VA training and the possible triggers to their own experience, but feels that he/she has sufficiently resolved their personal issue, allow them to participate as a VA.
- (b) Possess an interest in helping people, an understanding of victimology, and a level of maturity to understand and maintain confidentiality as necessary for this role.
- (c) Be emotionally mature; have good communication and interpersonal skills, including the ability to readily empathize with the pain of others; can easily relate to others in a genuine way regardless of rank, rate, gender, or sexual orientation; and is not easily discouraged by anger misdirected at him/her by people he/she is trying to help.
- (d) Have at least one year remaining at the unit upon completion of training to ensure appropriate coverage for the AOR. A member's VA competency can be transferred to a new unit when the VA changes duty stations.
- (e) Be recommended for VA duties by his/her command.
- (f) Meet the needs of the AOR in terms of location, rank, rate, gender, and diversity.

- (3) Certify in writing via the Designation Letter that the VA has met the requirements for the VA Competency Code. The VA's command shall ensure that the VA Competency Code is entered into their training record per Reference (h).
 - (4) Supervise VAs in the performance of their duties to ensure compliance with the requirements of this Manual. Provide support, information, re-training, and guidance as needed.
 - (5) Establish at least monthly contact with all VAs in the AOR to ensure their continued availability and to provide additional information or training. Sending email messages with relevant program information or policy updates, meets this requirement.
 - (6) Conduct monthly case updates with VAs on all assigned open cases. Case updates may be via telephone if necessary.
- e. Provide Training and Education.
- (1) Provide annual Mandated Trainings (MT) on sexual assault and the SAPR Program as requested by Commands. A standardized curriculum shall be utilized for all SAPR Program MTs; either the curriculum provided by the SAPR PM or the approved on-line Coast Guard SAPR training. SAPR MTs shall only be modified with the specific approval of the SAPR PM.
 - (2) Conduct VA Trainings in AOR after successfully completing the Coast Guard SARC and VA Trainings, co-facilitating a VA Training with either the SAPR PM or another certified trainer (with prior approved by the SAPR PM). Only the approved Coast Guard VA Training curriculum provided by the SAPR PM shall be used to conduct this training.
 - (3) VA Trainings shall be conducted by two certified trainers with a minimum of 15 participants and a maximum of 40 participants, although 20-30 is most ideal due to the interactive nature of the curriculum. An approved waiver (in writing) is required from the SAPR PM to deviate from this mandate.
 - (4) For all VA Trainings, give all training participants an evaluation form to complete. Review and share the results with the cognizant HSWL RM, then scan and email to the SAPR PM and HSWL SC.
 - (5) Prospective VAs shall attend the CG VA Training course as it is a certification process for the VA Qualification Code. Ombudsmen are not eligible for the VA Qualification Code.
 - (6) Provide Coast Guard HCPs annual training on the requirements of this Manual. The training should include responding to a victim when a report is made and the HCPs role as an authorized individual to accept Restricted Reports.
 - (7) Provide guidance to COs, XOs, OINCs, XPOs, medical staffs, and CGIS offices as needed to address their unique concerns in implementing requirements contained in this Manual.

- (8) Provide assistance and training to local area Ombudsmen as needed to ensure their understanding of the SAPR program and appropriate resources for sexual assault victims.
- f. Implement appropriate prevention strategies and initiatives within their AOR in collaboration with the HSWL SC and SAPR PM.
- g. Other.
 - (1) Provide advice and assistance to commands in the AOR regarding sexual assault prevention and response.
 - (2) Identify local community medical treatment facilities (in collaboration with local medical staff as procedures and resources vary in different AORs) equipped to provide forensic medical exams specific to sexual assault victims, preferably per standards provided in Reference (i).
 - (3) Contact service members, cadets, officer candidates, recruits, civilian employees, or family members of a Coast Guard member or civilian employee, accused of sexual assault to offer support as appropriate after CGIS has conducted their interview. Coordinate with the servicing CGIS Office to determine if those interviews have been conducted.

I. Family Advocacy Specialists (FAS).

The FAS shall:

1. Report to the SAPR PM, via WIMS or Enclosures (7) and (8), within 48 hours, all sexual assault incidents involving members of the Coast Guard (dependents, civilians, active duty service members, and reservists on active duty). Only an initial report is required by the FAS for Family Advocacy cases as Family Advocacy policy shall be followed on protocol beyond initial reporting. On cases involving non-related adults, the EAPC/SARC shall manage the ongoing monthly and final reports.
2. Complete the three-day Coast Guard SARC training within one year of hiring, and complete a minimum of 8 hours of SARC training annually.
3. Act in the capacity of a SARC, most specifically in the absence of the EAPC/SARC, and share any sexual assault reports involving non-related adults with the EAPC/SARC. Guidance in Chapter 6.H. must be followed for all cases of sexual assault that are not Family Advocacy cases.
4. Ensure that Enclosure (2), is signed by all adult victims of sexual assault. Guidance in Reference (f) shall be followed for the Family Advocacy cases of sexual assault.
5. Contact the SAPR PM as needed for technical guidance regarding SAPR Program requirements or procedures.

J. Health Care Providers (HCP).

HCPs shall:

1. Understand the elements of this Manual and the role of an HCP in receiving Restricted Reports from victims of sexual assault. Be familiar with Enclosure (2) as the HCP may be the first responder explaining the reporting options to a victim and protecting their confidentiality. Immediately inform the EAPC/SARC when an active duty service

member or spouse of an active duty service member reports a sexual assault, but be prepared to explain Enclosure (2), to the victim and obtain their signature (per Chapter 6.H.) if the EAPC/SARC is not available for on-site contact with the victim.

2. Immediately report all allegations of sexual assault to the EAPC/SARC (or FAS if the EAPC/SARC is not available) and, additionally, CGIS and the victim's command if the report is Unrestricted. In Restricted cases only the EAPC/SARC or FAS are notified, and HCPs maintain the same confidentiality regarding sexual assaults that SARCs and VAs do. Note: Restricted Reporting is only available to active duty members, reservists on active duty, or to civilian spouses sexually assaulted by their active duty service member spouse.
3. Provide victims who present at Coast Guard clinics any urgent first aid or life-saving care indicated by their presenting symptoms or complaint before they are referred to another source of care.
4. Arrange for the victim to be transported to an appropriate location for examination by a Sexual Assault Nurse Examiner (SANE) or another provider trained in forensic evidence collection. When transport to a SANE is not possible, Coast Guard medical personnel (Physicians, Nurse Practitioners and Physician Assistants) with primary care privileges may assist victims by using a Sexual Assault Forensic Evidence Collection Kit to gather specimens as indicated by the patient's history and presenting clinical signs.
5. Consult with CGIS for guidance on appropriate handling and disposition of any forensic specimens, photographs, or other evidence. CGIS will consult, as necessary, with any other law enforcement entities involved, as well as with the servicing SJA's Office.
6. Ensure that when examining a victim a gender appropriate chaperone is offered. A VA, another Coast Guard member, friend, or family member of the victim may serve as a chaperone in these cases.
7. Ensure that any victim who reports a sexual assault receives appropriate testing, counseling, and treatment as needed for sexually transmitted diseases, psychiatric care/counseling, or pregnancy.
8. Obtain training on the requirements of this Manual as needed from the EAPC/SARC, and HCPs are also strongly encouraged to attend the initial Coast Guard SARC or VA Training when it is offered.

K. Victim Advocates (VA).

A VA shall:

1. Attend the Coast Guard Victim Advocate Training prior to being assigned to a support role.
2. Sign the Victim Advocate Statement of Understanding, Enclosure (5), and have their supervisor sign the Victim Advocate Supervisor Statement of Understanding, Enclosure (4).
3. Attend or participate in mandatory refresher training annually on the use of this Manual, which shall be provided or coordinated by the EAPC/SARC.

4. Provide emotional support and assistance to the victim per Enclosure (6), Role of the Victim Advocate and, if directed by or in the absence of the EAPC/SARC, explain and have the victim sign the VRPS, Enclosure (2).
5. Assist the cognizant SARC on appropriate prevention activities and initiatives within their AOR.

Definitions

1. Employee Assistance Program Coordinator (EAPC)/Sexual Assault Response Coordinator (SARC).

U.S. Coast Guard personnel, military or civilian employee, who is trained to ensure appropriate care is coordinated and provided to victims of sexual assault; in addition, tracks the services provided to a victim of sexual assault from the initial report through final disposition and resolution. If a dedicated SARC is not co-located, serves as the central point of contact at the Command or within a geographic area to conduct sexual assault awareness, prevention and response training.

2. Family Advocacy Specialist (FAS).

U.S. Coast Guard personnel, military or civilian employee, who is trained to handle cases of family violence within the Family Advocacy Program. FAS may also act as a Sexual Assault Response Coordinator (SARC), as needed and if trained as a SARC, and is the primary back-up for instances when the EAPC/SARC is unavailable.

3. Healthcare Provider (HCP).

This term applies to individuals who are employed or assigned as a healthcare professional. These individuals have privileges to provide health care services at a military medical or military dental treatment facility, or who provide clinical care at a deployed location in an official capacity. This term includes active duty and non-active duty personnel, Coast Guard civilian employees, and DoD and Coast Guard contractors who provide health care. For the purposes of this Manual, the term HCP includes Coast Guard Health Services Technicians.

4. Military Protective Order (MPO).

An order directing an active duty person to do or refrain from doing specified act (e.g., staying a certain distance away from a place of work and/or residence or to have no contact with a specific person).

5. Official Investigative Process.

The formal process a law enforcement organization uses to gather evidence and examine the facts and circumstances surrounding allegations of crimes, such as sexual assault.

6. Personal Identifying Information (PII).

For the purpose of this Manual, this term applies to the victim and alleged assailant of a sexual assault and is that information which would disclose or have a tendency to disclose the person's identity. PII includes the person's name or particularly identifying description (e.g., physical characteristics or identity by position, rank, or organization), or other information about the person or the facts and circumstances involved that could reasonably be understood to identify the person (e.g., a female on a particular Coast Guard Cutter or barracks when there is only one female assigned). In contrast, PII does not include those facts and circumstances surrounding the sexual assault incident or individuals that generally describe the incident and individuals without tending to disclose an individuals' identity.

7. Privileged Communication.

Conversation that takes places within the context of a protected relationship, such as that

between an attorney and client, a husband and wife, a priest/clergy person and penitent/parishioner, and a doctor/psychotherapist and patient/client. The law often protects against forced disclosure of such conversations. However, there are exceptions that can invalidate a privileged communication, and there are various circumstances where it can be waived, either purposefully or unintentionally. To qualify for privileged status, communications must generally be made in a private setting. The privilege is lost (waived) when all or part of the communication is disclosed to a third person. Information disclosed to an EAPC/SARC, FAS or VA is considered a privileged communication, but there are several notable exceptions. VAs, SARCs, and EAPC personnel are strongly urged to coordinate with their servicing SJA's Office to discuss the meaning and effect of the privilege and its exceptions.

8. Restricted Reporting.

The process used by a service member or spouse of a service member to disclose to specific individuals on a confidential basis that he or she is the victim of a sexual assault. If the assault has been disclosed to ONLY an HCP, EAPC/SARC, FAS or a VA, it will not be reported to the chain of command or law enforcement (unless the victim consents or an established exception is exercised under this Manual). If the assault was disclosed to anyone in the armed forces (except Chaplains), the report must be Unrestricted.

9. Service Member.

For purposes of this manual, the term "service member" refers to Coast Guard active duty members and Coast Guard Reserve members on active duty or in a drill status, unless otherwise noted.

10. Sexual Assault.

"Sexual assault" is defined as intentional sexual contact, characterized by use of force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent. Sexual assault includes rape, forcible sodomy, and other unwanted indecent contact (e.g., kissing against another person's will) that is aggravated, abusive, or wrongful (to include unwanted and inappropriate sexual contact), or attempts to commit these acts. "Consent" means words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of refusal or lack of consent through words or conduct means there is no consent (i.e., "No Means No"). 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. The victim's lack of verbal or physical resistance or submission resulting from intoxication, from unconsciousness due to sleep or alcohol consumption, or from any other conditions which renders the person substantially incapacitated or substantially incapable of understanding the nature of the sexual act, declining participation in the act, or communicating unwillingness to engage in the sexual act does not constitute consent. A current or previous dating relationship shall not constitute consent. The manner of dress of the victim shall not constitute consent. (Note: These definitions are intended to be general descriptions used for training and educational purposes. Specific definitions of the elements of the sexual assault, sexual contact, and forcible sodomy offenses are found in Articles 120 and 125, UCMJ.)

11. Sexual Assault Forensic Examination (SAFE).

The medical examination of a sexual assault victim under circumstances and controlled procedures to ensure the physical examination process, and the collection, handling, analysis,

testing, and safekeeping of any bodily specimens, meet the requirements necessary for use as evidence in criminal proceedings.

12. Unrestricted Reporting.

The process a service member or spouse of a service member uses to disclose to their chain of command that he or she is the victim of a sexual assault. Under these circumstances, the victim's report to command or law enforcement authorities or to an HCP, EAPC/SARC, FAS, VA, or anyone else is reportable to CGIS.

13. Victim.

For the purpose of this Manual, a victim is a person who alleges direct harm as a result of the commission of a sexual assault. It is important to note that the term "victim" is subjective and must be carefully used, especially to the victims themselves. There comes a point in the recovery of a victim where they may refer to themselves as "survivors."

14. Victim Advocate (VA).

An advocate for the victim; a person who can provide emotional support to the victim during interviews, medical procedures and legal proceedings. The advocate may be present, but is not to participate (e.g., prompting the victim) during the interview process. In coordination with the EAPC/SARC, the advocate may provide liaison assistance with other organizations/agencies on victim care matters. VAs report directly to the EAPC/SARC when performing victim advocacy duties. VAs may be required to testify at a judicial proceeding but do not maintain any type of records or files.

DEPARTMENT OF HOMELAND SECURITY U.S. Coast Guard VICTIM REPORTING PREFERENCE STATEMENT		Report Control Number RCN – 1754.10D
PRIVACY ACT STATEMENT		
<p>AUTHORITY: Section 301 of Title 5, United States Code and Chapter 55 of Title 10, United States Code. PRINCIPAL PURPOSE(S): Information on this form will be used to document elements of the sexual assault response and/or reporting process and comply with the procedures set up to effectively manage the sexual assault prevention and response program. ROUTINE USE(S): None. DISCLOSURE: Completion of this form is voluntary; however, failure to complete this form with the information requested impedes the effective management of care and support required by the procedures of the sexual assault prevention and response program.</p>		
1. REPORTING PROCESS AND OPTIONS DISCUSSED WITH THE EAPC/SARC, FAS, HCP, OR VA		
<p>a. I, (Full name), _____ had the opportunity to have this form explained by an Employee Assistance Program Coordinator (EAPC)/ Sexual Assault Response Coordinator (SARC), Family Advocacy Specialist (FAS), Health Care Provider (HCP), or Victim Advocate (VA) before selecting a reporting option.</p>		
b. UNRESTRICTED REPORTING - REPORTING A CRIME TO COMMAND AND LAW ENFORCEMENT.		
INITIALS _____	(1) I understand that law enforcement and my command will be notified that I am a victim of sexual assault and an investigation will be started. I understand I can receive medical treatment, advocacy services, and counseling, and an optional sexual assault forensic examination to collect evidence if indicated. The full range of victim protection actions may be available to me, such as being separated from the accused or receiving a Military Protective Order against the accused. Any misconduct on my part may be punished, but at the discretion of the commander may be delayed until after the sexual assault charge is resolved.	
c. RESTRICTED REPORTING - CONFIDENTIALLY REPORTING CRIME ONLY TO EAPC/SARC, FAS, HCP OR VA.		
	(2) I understand that if I talk about my sexual assault to anyone other than those under the "Restricted Reporting" option (EAPC/SARC, FAS, VA, HCP) it may be reported to my command and law enforcement. (Note: As Chaplains have privilege they may also have knowledge of assault.)	
	(3) I understand that there are exceptions to Restricted Reporting (see page 2). If an exception applies, limited details of my assault may be revealed to satisfy the exception.	
	(4) I understand that if I have not made an Unrestricted Report within 1 year of any evidence collected, it may be destroyed and no longer available for any future investigation or prosecution efforts.	
	(5) I understand that all state laws, local laws or international agreements that may limit some or all of the Coast Guard's restricted reporting protections have been explained to me. In _____, medical authorities must report the sexual assault to _____.	
	(6) I understand that the EAPC/SARC will meet periodically with the responsible Commanding Officer (CO) to provide information about the assaults within the AOR. I understand that the information shared will not reveal my identity, or that of my offender. The purpose of this discussion is to enable the CO to provide informational advisories or other warnings to members, and alert appropriate individuals regarding preventable risks. This information is required for the purposes of public safety and command responsibility.	
	(7) I understand that by choosing Restricted Reporting, the full range of victim protection actions will not be available, including the use of a Military Protective Order against the accused. I also understand that unless my Command is aware of the reported assault, there may be little that can be done to ensure reasonable protection from the accused.	
	(8) I understand that I may change my mind and report this offense at a later time as an Unrestricted Report, and law enforcement and my command will be notified. Delayed reporting may limit the ability to prosecute the accused. If the case goes to court, my VA and others providing care may be called to testify about any information I shared with them.	
	(9) I understand that if I do not choose a reporting option at this time, my commander and investigators will be notified, and this report will be Unrestricted.	
2. CHOOSE A REPORTING OPTION (Initial):		
	<p>a. Unrestricted Report. I elect Unrestricted Reporting and have decided to report that I am a victim of sexual assault to my command, law enforcement, or other military authorities for investigation of this crime.</p>	
	<p>b. Restricted Report. I elect Restricted Reporting (if criteria has been met) and have decided to confidentially report that I am a victim of sexual assault. My command will NOT be provided with information about my identity. Law enforcement or other military authorities will NOT be notified unless one of the exceptions on page 2 of this form applies. I understand the information I provide will NOT start an investigation or be used to punish the accused.</p>	
3. INCIDENT NUMBER (assigned by Work-Life Information Management System, or if unavailable, assigned by SARC using first three letters of Work Life Office, the four digit year, two digits for month, two digits for day, and two digit initials of SARC with spaces between – e.g., "CGA 2011 08 12 PD" for the Coast Guard Academy on August 12, 2011 with SARC initials): _____		
4.a. SIGNATURE OF VICTIM _____		b. DATE (MM/DD/YY) _____
4.b. SIGNATURE OF PERSON WHO EXPLAINED VICTIM'S OPTIONS (Print name and Sign) _____		b. DATE (MM/DD/YY) _____

5. I have reconsidered my previous selection of Restricted Reporting, and I would like to make an Unrestricted Report of my sexual assault to authorities for a possible investigation.	
a. SIGNATURE OF VICTIM	b. DATE (MM/DD/YY)
b. SIGNATURE OF PERSON WHO EXPLAINED VICTIM'S OPTIONS <i>(Print name and Sign)</i>	b. DATE (MM/DD/YY)

EXCEPTIONS TO RESTRICTED REPORTING

In cases in which members elect restricted reporting, disclosure of covered communications is authorized to the following persons or organizations when disclosure would be for the following reasons:

1. Command officials or law enforcement when the victim agrees to Unrestricted Reporting by signing block 5a above.
2. Command officials or law enforcement to prevent or lessen a serious and imminent threat to the health or safety of the victim or another person.
3. Disability Retirement Boards and officials when required for fitness for duty for disability retirement determinations. Disclosure is limited to only that information necessary to process the disability retirement determination.
4. EAPCs/SARCs, FASs, VAs, or HCPs when required for supervision of victim services.
5. Military or civilian courts when ordered, or if disclosure is required by Federal or state statute. EAPCs/SARCs, FASs, VAs, and HCPs will first consult with the servicing legal office to determine whether the criteria of any of the above exceptions apply, and whether they have a duty to comply by disclosing the information.

VICTIM'S RIGHTS^{*}

1. The right to be reasonably protected from the accused.
2. The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused.
3. The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.
4. The right to be reasonably heard at any public proceeding in the district court involving release, plea, [or] sentencing, or any parole proceeding.
5. The reasonable right to confer with the attorney for the Government in the case.
6. The right to full and timely restitution as provided in law.
7. The right to proceedings free from unreasonable delay.
8. The right to be treated with fairness and with respect for the victim's dignity and privacy.

^{*}Under federal law [18 U.S.C. 3771(a)]

Unit Commander's Checklist for Unrestricted Reports of Sexual Assault

Note: If a victim has disclosed a sexual assault to his or her unit Commander or Chain of Command, the report MUST be Unrestricted.

1. Victim's Unit Commander

- a. () Ensure the physical safety of the victim--determine if the alleged offender is still nearby and if the victim desires or needs protection.
- b. () Determine if the victim desires or needs any emergency medical care.
- c. () Notify Coast Guard Investigative Service (CGIS), as soon as the victim's immediate safety is assured, and medical treatment procedures elected by the victim are initiated.
 - a. () To the extent practical, strictly limit knowledge of the facts or details regarding the incident to only those personnel who have a legitimate need to know.
 - b. () Take action to safeguard the victim from any formal or informal investigative interviews or inquiries, except those conducted by CGIS or other law enforcement authorities. **It is always the decision of the victim as to whether or not to participate in a law enforcement investigation; not all victims desire to attempt prosecution in every case.**
- d. () Ensure the regional Employee Assistance Program Coordinator (EAPC)/Sexual Assault Response Coordinator (SARC) is notified immediately.
- e. () Conduct only a limited inquiry to ascertain safety, and collect only the necessary information (e.g. victim's identity and location). **Do not ask detailed questions and/or pressure the victim for responses or information about the reported incident.**
- f. () Advise the victim of his or her options for medical assistance. Victims often desire to have forensic evidence collected in the event of possible prosecution of their offender, while others simply desire a medical examination for overall health (disease, pregnancy, etc.). If the victim is interested in forensic evidence collection, advise the victim of the need to preserve evidence (by not bathing, showering, brushing teeth, changing clothes, eating, drinking, or cleaning in any way) while waiting for the arrival of CGIS or other police agency.
- g. () If needed, assist with or provide immediate transportation for the victim to the hospital or other appropriate medical treatment facility.
- h. () Ensure the victim understands the availability of victim advocacy and the benefits of accepting advocacy and support.
- i. () Notify the victim that a trained Victim Advocate (VA) will be contacted for at least an initial meeting. A victim may want a personal friend in attendance, but the victim must be cautioned that a personal friend needs to understand their support role and not in any way hamper an investigative interview. Be sure to advise the victim that any support person could possibly later be called to testify as a witness if the case goes to trial. (Note: VAs are normally assigned by the SARC unless a VA is available at the same command or was already involved.)

- j. () Ask if the victim would like a Chaplain to be notified and notify accordingly.
- k. () If needed, confer with victim's HCP and consider the need for convalescent leave or other administrative leave options as Coast Guard policy permits.
- l. () Determine if the victim desires or needs a "no contact" order or Military Protective Order (MPO) issued, particularly if the victim and the alleged offender are assigned to the same command, unit, duty location, or living quarters. Consultation with CGIS and the servicing SJA's Office is required when considering a MPO in order to prevent impeding criminal investigative activity. Coordination with other commands may be necessary if the alleged offender is assigned to a different command.
- m. () Determine the need for temporary reassignment to another unit, duty location, or living quarters on the installation of the victim or the alleged offender being investigated, after consultation with CGIS. It may be necessary to work with the alleged offender's unit commander, if different than the victim's unit commander, until there is a final legal disposition of the sexual assault allegation, and/or the victim is no longer in danger. Whenever possible, strongly consider the desires of the victim when making any reassignment determinations. Victims often view being transferred as a punitive measure for reporting a sexual assault and also lose their stability and support system as a result of the transfer; other victims prefer to be removed from the command.
- n. () Ensure the victim understands the availability of other referral organizations staffed with personnel who can explain the medical, investigative, and legal processes and advise the victim of his or her victim support rights.
- o. () Consult with the EAPC/SARC regarding resources available and emphasize to the victim the availability of additional avenues of support; refer to available counseling groups and other victim services.
- p. () Attend (or assign designee) periodic meetings with the EAPC/SARC as may be needed to staff cases.
- q. () Ensure the victim receives monthly reports regarding the status of the sexual assault investigation from the date the investigation was initiated until there is a final disposition of the case. If it is determined that the final disposition in the case is that there is insufficient evidence or other legal issues exist that prevent judicial, non-judicial or administrative action against the alleged perpetrator, this determination shall be conveyed to the victim in a timely manner.
- r. () Notify the servicing SJA's Office, as needed, to determine when and how best to manage the victim's collateral misconduct, if any. The practice of delaying action on UCMJ violations until resolution of the sexual assault case is to alleviate the perception that the collateral misconduct is more important to the USCG than the sexual assault.
- s. () Avoid automatic suspension or revocation of a security clearance, understanding that the victim may be satisfactorily treated for his/her related trauma without compromising his/her security clearance. Consider the negative impact that suspension of a victim's security clearance may have on building a climate of trust and confidence in the Coast Guard's sexual assault reporting system, but make a final

determination based upon established security standards. The misfortune of being a victim of sexual assault does not automatically render a person incapable of performing his or her work.

2. **Alleged Offender's Unit Commander**

- a. () Notify the appropriate CGIS office as soon as possible after receiving a report of a sexual assault incident.
- b. () Avoid questioning the alleged offender about the sexual assault allegation, since doing so may jeopardize the criminal investigative process. Any contact with a Service member suspected of an offense under the UCMJ may involve rules and procedures, which ensure due process of law and are unique to the military criminal justice system. Therefore, commands are prohibited from questioning or discussing the case with an alleged offender without CGIS and servicing SJA's Office approval.
- c. () Strictly limit information pertinent to an investigation to only those personnel who have a legitimate need-to-know.
- d. () Ensure procedures are in place to inform the alleged offender, as appropriate, about the investigative and legal processes that may be involved.
- e. () Ensure procedures are in place to inform the alleged offender about available counseling support. As appropriate, refer the alleged offender to available counseling groups and other services, in consultation with CGIS to avoid conflict with the investigative process.
- f. () Consult with CGIS and the servicing SJA's Office after obtaining any available input from the EAPC/SARC, FAS, VA, or HCP to determine if a "no contact" order or MPO is needed.
- g. () Monitor the well-being of the alleged offender, particularly for any indications of suicide ideation, and ensure appropriate intervention occurs if indicated.
- h. () Ask if the alleged offender would like to request the support services of a Chaplain and contact the Chaplain accordingly.

3. **Command Climate After Sexual Assault Incident**

- a. () Discourage members from participating in gossip or speculation about the case or investigation.
- b. () Remind members that discussion of a possible sexual assault incident might compromise an ensuing investigation.
- c. () Emphasize that the alleged offender is presumed innocent until proven guilty. Avoid making statements about what the outcome or punishment should be for any particular case or class of cases because such statements could constitute unlawful command influence.
- d. () Advise those who may have knowledge of the events leading up to or surrounding the incident to fully cooperate with any investigation involved.
- e. () Consider some form of unit refresher training; or have an outside expert address the unit regarding preventive measures, as well as some of the emotional or

psychological feelings that may manifest themselves, affect the unit, and require their response during the course of the investigation. Do be mindful to not draw particular attention to a specific incident or victim if the training is scheduled after a sexual assault is alleged to have recently occurred.

- f. () Continuously monitor the unit's overall climate to ensure neither the victim and/or the alleged offender, if still present at the unit, is being ostracized and to prevent organizational splintering.
- g. () Advise crew members that these situations can be upsetting for all who hear about them and can trigger unpleasant memories for some. Encourage those affected to consider taking advantage of services available, including talking to the chaplain, EAP, etc.

<p>DEPARTMENT OF HOMELAND SECURITY U.S. Coast Guard VICTIM ADVOCATE SUPERVISOR STATEMENT OF UNDERSTANDING</p>			
<p>PRIVACY ACT STATEMENT</p>			
<p>AUTHORITY: Section 301 of Title 5, United States Code and Chapter 55 of Title 10, United States Code. PRINCIPAL PURPOSE(S): Information on this form will be used to document elements of the sexual assault response and/or reporting process and comply with the procedures set up to effectively manage the sexual assault prevention and response program. ROUTINE USE(S): None. DISCLOSURE: Completion of this form is voluntary; however, failure to complete this form with the information requested impedes the effective management of care and support required by the procedures of the sexual assault prevention and response program.</p>			
<p>I am the supervisor of a Victim Advocate (VA); I have been briefed by the Employee Assistance Program Coordination (EAPC)/Sexual Assault Response Coordinator (SARC) on the VA roles and responsibilities. (initials)_____</p>			
<p>I understand if the VA is working after duty hours on a case, the VA may not be able to report to work the following morning. (initials)_____</p>			
<p>I understand that the VA may have to accompany victim to various other referral appointments, and if a case proceeds to an Article 32, Uniform Code of Military Justice, investigative hearing, a court-martial, or civilian criminal proceedings the VA may be absent from the work area for the duration of the hearing/trial. (initials)_____</p>			
<p>I understand I will be informed of any absences from the workplace as soon as possible, and if the mission dictates the VA must report to work for normal duty hours, every effort will be made to afford them compensatory time as soon as possible after the event. (initials)_____</p>			
<p>I understand the VA will not report any details of the case to me, nor will I ask them for any details. (initials)_____</p>			
<p>I understand the responsibilities of the VA and am willing to support them. (initials)_____</p>			
<p>If I should encounter any problems or concerns, I will contact the EAPC/SARC. (initials)_____</p>			
Supervisor's Printed Name		VA's Printed Name	
Supervisor's Signature	Date Signed	VA's Signature	Date Signed
EAPC/SARC Signature			Date Signed

<p>DEPARTMENT OF HOMELAND SECURITY U.S. Coast Guard VICTIM ADVOCATE STATEMENT OF UNDERSTANDING</p>	
<p>PRIVACY ACT STATEMENT</p>	
<p>AUTHORITY: Section 301 of Title 5, United States Code and Chapter 55 of Title 10, United States Code. PRINCIPAL PURPOSE(S): Information on this form will be used to document elements of the sexual assault response and/or reporting process and comply with the procedures set up to effectively manage the sexual assault prevention and response program. ROUTINE USE(S): None. DISCLOSURE: Completion of this form is voluntary; however, failure to complete this form with the information requested impedes the effective management of care and support required by the procedures of the sexual assault prevention and response program.</p>	
<p>The undersigned has applied for a position as a Victim Advocate (VA). The undersigned acknowledges the following:</p> <p>I, (full name) _____, understand that this is a volunteer position. (initials) _____</p> <p>I understand that this collateral duty may impact my primary Coast Guard duty. (initials) _____</p> <p>I understand that an Employee Assistance Program Coordinator (EAPC)/Sexual Assault Response Coordinator (SARC) will discuss my collateral duty as a volunteer VA with my Supervisor, and before I have permission to serve as a VA, my supervisor will have to sign an agreement of understanding after meeting with the EAPC/SARC acknowledging the impact the collateral duty will have on my military duty. (initials) _____</p> <p>I understand that as a VA I will handle confidential information of a personal nature. (initials) _____</p> <p>I understand that as a VA I may not take any action, either directly or indirectly, to coach or otherwise influence statements or testimony provided by a victim to CGIS and/or civilian investigators. (initials) _____</p> <p>I understand and agree that it is my responsibility to keep all oral, written or electronic communications that include personal identifying information, reported by a victim to myself, unless the victim authorizes disclosure in writing. (initials) _____</p> <p>I understand that such communications are considered covered communications, and failure to keep all covered communications confidential will result in removal as a VA and may also result in discipline under the Uniform Code of Military Justice (UCMJ), loss of credentials, or other adverse personnel or administrative actions. (initials) _____</p> <p>I understand that any time I am performing duties in support of victim advocacy, I report directly to an EAPC/SARC (initials) _____</p> <p>I understand I will be on call. I agree to keep the EAPC/SARC informed of my contact information. I also acknowledge that if I am unable to be reached while on call I can be removed as a volunteer victim advocate. (initials) _____</p> <p>I understand I am expected to attend monthly case management meetings for any case for which I am the assigned victim advocate. (initials) _____</p> <p>I understand that, if a case proceeds to an Article 32, UCMJ investigative hearing, a court-martial, or civilian criminal proceedings, I may have to accompany the victim during the duration of the hearing/trial. And, I further understand that I may be called to testify in such hearing. (initials) _____</p> <p>Prior to my appointment as a victim advocate, I understand that I will have to complete the essential training tasks for a victim advocate. (initials) _____</p>	
<p>VA Signature</p>	<p>Date Signed</p>
<p>EAPC/SARC Signature</p>	<p>Date Signed</p>

Role of the Victim Advocate (VA)

1. The role of the VA is fundamental to the success of the Sexual Assault Prevention Response (SAPR) Program in the Coast Guard. Those who advocate for victims of any crime have three primary responsibilities: to support and inform; to act as a companion in navigating investigative, medical, and recovery processes; and to help ensure the victim's safety. The VA's role is to assume these three responsibilities in working with victims of sexual assault. Specifically, the VA:
 - a. provides emotional support;
 - b. provides information on victim's rights;
 - c. accompanies victims to medical facilities, interviews, legal hearings, etc.;
 - d. secures basic needs, e.g., providing clothing to wear from the hospital and arranging transportation;
 - e. provides information and options to victims, and helps them to make informed decisions for next steps and safety planning;
 - f. offers to contact others including the duty chaplain or other service providers as appropriate and desired;
 - g. makes regular follow-up phone contacts with victims to check on their welfare;
 - h. coordinates appointments as requested and appropriate; and,
 - i. advocates on behalf of victims as appropriate.
2. VAs are supervised by the Employee Assistance Program Coordinator (EAPC)/Sexual Assault Response Coordinator (SARC). VAs are not counselors, therapists, or investigators. They are available any time of the day or night to help victims. EAPCs/SARCs provide VAs with training, supervisory support, and feedback, and act as protector from outside pressures. This support allows VAs to focus entirely on the victim. VAs are the only responders whose sole interest is to ensure that the victim's needs are met. A VA may be the first person to meet with a victim and will continue to provide information and support until the case is concluded or the victim no longer has a need for the additional support.
3. VAs typically encounter a range of reactions from victims (e.g., shock, frenzy, disorientation, flat or inappropriate affect, calm demeanor, or even anger). At times there is a natural desire for the VA to take over and "solve" the victim's problems. VAs must set aside their own feelings and judgments to allow each victim they are assisting to make the best decision for them. All adults have the right to make the informed decision that best suits their needs and to not be unduly influenced by someone else's experiences or viewpoints. It is important that VAs assist the victim in regaining their feelings of self-control. Specifically, VAs should help the victim to:
 - a. identify their own concerns;
 - b. identify their own options; and,
 - c. discuss next steps for helping themselves.

4. VAs need to be thoroughly familiar with the VRPS, Enclosure (2). If not already completed, the VA will need to explain the options contained in this form to the victim and help the victim make a choice as to what reporting option is preferred. VAs must carefully explain the implications of each option and obtain the victim's initials and signature in the appropriate blocks. The VA must ensure that the victim has not disclosed the assault to anyone in the Coast Guard or law enforcement other than an EAPC/SARC, FAS, VA, HCP or Chaplain. The victim must be cautioned to explain their reporting choice to any family member aware of the assault to alleviate the possibility of a frustrated family member contacting the command with the assumption that no one has assisted their loved one. The signed copy must be given to the EAPC/SARC as soon as possible. A copy of this form may be given to the victim if requested. No other copies or written documentation of any kind (e.g., files, notes) are to be kept by the VA.
5. Victims turn to VAs for information and often to assist in setting up appointments they may need (e.g., medical, counseling). To successfully meet this responsibility, VAs require a basic knowledge of the procedures that may take place when a victim interacts with the legal and medical system. Additionally, they have to know local resources and the elements of advocacy and have a basic understanding of local laws; it is the role of the EAPC/SARC to assist the VAs in obtaining the knowledge needed for their role.
6. It is the role of the VA to help the victim understand the potential value of a proper investigation and forensic examination. Always encourage at least a medical examination to check for overall health even if a forensic examination is declined. However, it is ultimately the victim's choice as to what extent he or she will cooperate, and victims do not have to participate in a law enforcement investigation if they do not wish to pursue prosecution (but may have to sign a declination letter). It is the role of the VA in these circumstances to reassure the victim that he or she has the final say regarding the extent of his or her cooperation.
7. Although a level of privilege is now authorized for VAs, the VA's presence during any investigative, legal, or judicial proceedings could later result in the VA being called as a witness in legal or administrative proceedings. The victim should be made aware of this before he or she consents to the VA's presence. In addition, the VA could be required to testify about any statements the victim makes to the VA. The victim must be advised of this possibility before the victim discloses any information about the assault to the VA.
8. The VA can have a significant role in helping victims understand that criminal investigators are "fact finders," and those facts may prove or disprove allegations. If there is not enough evidence to prove the alleged incident occurred beyond a reasonable doubt, this does not mean the sexual assault didn't happen. The VA must encourage victims to be as honest as possible during investigative interviews and the VA will not interrupt the questioning of the victim at any time. Investigators may have multiple contacts with the victim and may ask many questions that may be upsetting for the victim to answer. For instance, if the alleged offender is an acquaintance, or "non-stranger," the investigator will likely ask about prior intimate contact with that person. Victims should understand that investigators may ask similar questions repeatedly about certain aspects of the incident to ensure there is no uncertainty with the information the victim has provided. It is important for the VA to understand that, should investigators determine the VA is hampering or otherwise inappropriately influencing the investigative process through their interaction with the

victim, the VA can be excluded from being present at victim interviews and medical examinations.

9. An important aspect of accompanying victims as they meet with other responders is fostering a strong sense that everyone is working together on behalf of the victim. The VA is victim's principal connection to all support personnel and, as such, will frequently prepare victims before meeting with others, such as the investigative and medical staff. Part of the preparation entails explaining that, although the questions and examinations may be invasive and the staff may appear detached, each person working with the victim is performing an important function. Some of these functions focus on the victim's emotional well-being while others do not. Invariably some responders will appear to be less sensitive than others. One of the main roles of the VA is to be an empathic listener who helps the victim to process negative feelings. The VA should always act professionally and avoid negativity about people, processes or procedures.
10. Some victims of sexual assault face immediate safety issues if their offender lives or works nearby and shares common areas, or if the trauma puts them at risk for substance abuse or harm to self. The VA should help the victim identify and use resources that are available to help keep them safe. One example is a Military Protective Order (MPO) that can be issued immediately, as appropriate, when the alleged assailant is a military member on active duty and the victim has chosen the Unrestricted Reporting option. A restraining order can be pursued if the suspect is a civilian. There is also the possibility of having the accused or the victim moved. Helping the victim develop a safety plan is always extremely important but especially so if the victim has chosen the Restricted Reporting option since police involvement and use of an MPO or restraining order are not available in these situations.

Unrestricted Report Data Format

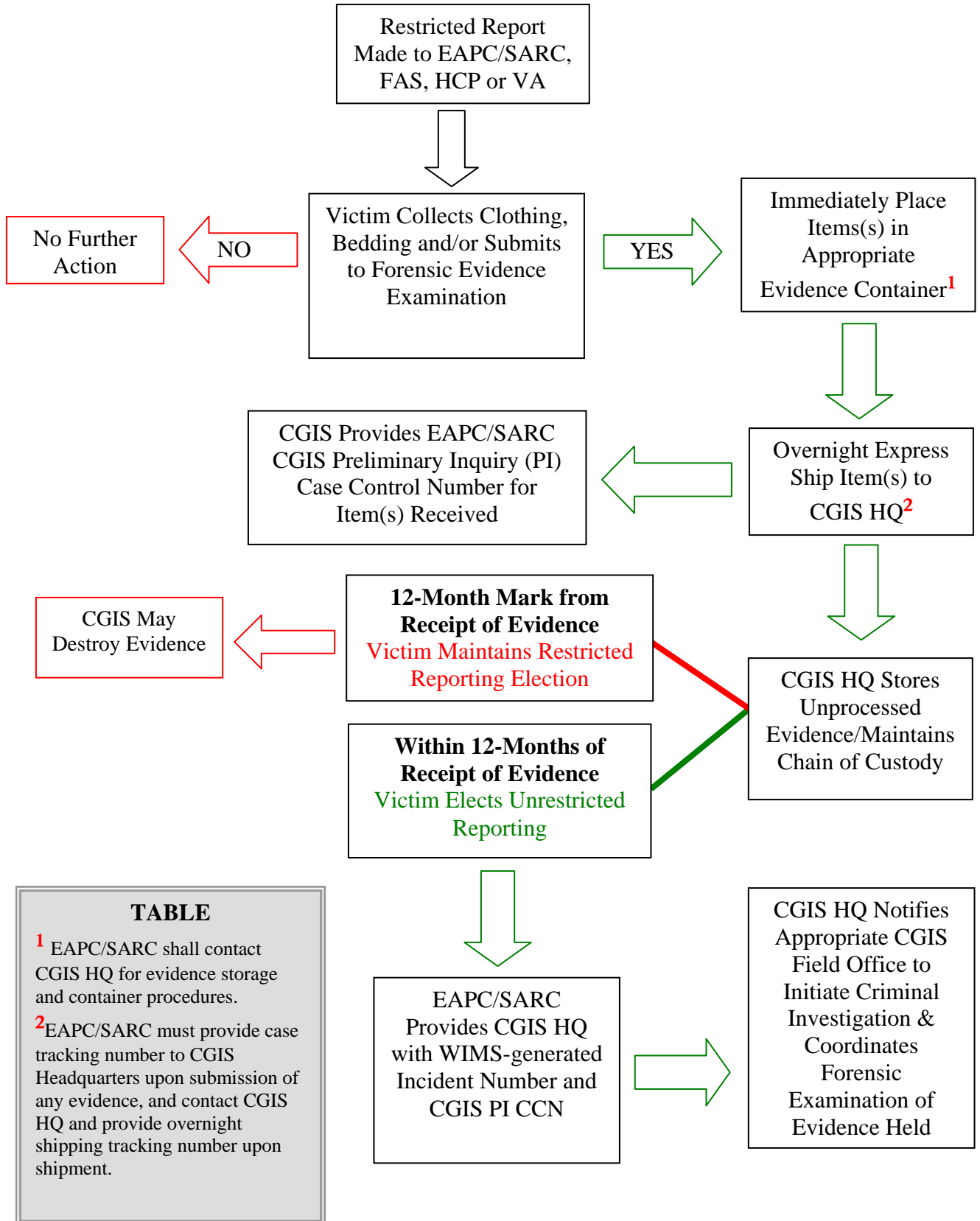
1. Case Tracking Number:
2. **CGIS Case Control #:
3. Date of this report: (MM/DD/YY)
4. Type of report: (Initial, Monthly Update or Final)
5. Victim gender:
6. Relationship to sponsor if not AD:
7. Victim's Unit:
8. Alleged Offender gender:
9. Alleged Offender status: (active duty, government employee, civilian, contractor)
10. If alleged offender active duty, which Branch of Service & Unit:
11. Work-Life RP or CGA responding/SARC Initials:
12. Date Work-Life staff or CGA Office, was notified: (MM/DD/YY)
13. Has victim received medical care and follow-up?
14. Was forensic evidence collected?
15. Was victim offered counseling?
16. Was victim offered services of a Victim Advocate (VA)?
17. Has victim accepted services of a VA?
18. Did victim sign Victim Preference Reporting Statement, Form CG-6095?
19. If victim has changed preference to unrestricted reporting, provide date of change:
 - a. Case Tracking Number from restricted report:
20. Incident (complete if not provided previously or needs correction)
 - a. Date of incident: (MM/DD/YY)
 - b. Location of assault: (on base, off base, aboard ship at sea or in port)
 - c. Nature of incident: (rape, groping, molestation, physical injuries, etc.)
 - d. Was alcohol involved?
21. Brief description of incident and services provided (since last report if this is not the initial report):
22. Current status of any legal procedures if involved in case:

Restricted Report Data Format

1. Case Tracking Number:
2. HSWL Regional Practice/SARC Initials:
3. Date of Report:
4. Date and Time of Incident:
5. Location of Incident: (on base, off base, aboard ship-at sea, aboard ship-in port)
6. Gender of Victim:
7. Age of Victim:
8. Victim's Branch of Service: (USCG, USA, USN, USMC, USAF) & Unit :
9. Grade of Victim:
10. Status of Victim (active-duty, reservist):
11. Was Alleged Offender Active-Duty? (Yes, No, Unknown)
12. Alleged Offender's Gender:
13. Alleged Offender's Branch of Service & Unit (USCG, USA, USN, USMC, USAF, Unknown):
14. Type of Sexual Assault: (rape, sodomy, attempted sexual assault, indecent assault, unknown, etc.)
15. Brief description of incident:
16. Was alcohol involved? (Yes, No, Unknown)
17. Has Victim Accepted Advocacy Services? (Yes, No)
18. Forensic Evidence Collected: (Yes, No)
 - a. If yes, CGIS PI CCN_____
19. Other Referrals: (check all that apply)
 - a. Medical: Military_____ Civilian _____
 - b. Counseling: Military_____ Civilian _____
 - c. Legal: Military_____ Civilian_____

Note: If case changes to Unrestricted, create new Case Tracking Number, but cross-reference it on Sexual Assault Incident Report when submitted.

Restricted Reporting Evidence Tracking and Management Process



Victim Advocate (VA) Pre-screening Process

1. When conducting a prescreening for a potential new Victim Advocate, obtain the following preliminary information from the service member:
2. Does the service member have at least one year left at their present command?
3. Has the service member been recommended for this position by their command?
 - a. If the answer to one or both questions is no, inform the service member that they must have at least one year left at their command in order to be trained as a Victim Advocate. They must also have pre-approval by their command.
 - b. If the service member has been approved by their command and has at least one year left at the command, proceed with prescreen.
 - (1) Name:
 - (2) Rate/Rank:
 - (3) Command:
 - (4) Email Address:
 - (5) Daytime Phone #:
4. Questions:
 - a. Briefly explain the Unrestricted and Restricted reporting policies. Ask if they are willing to have knowledge about a sexual assault that they cannot release to the command. Explain that violating a victim's confidentiality could result in the Victim Advocate being brought up on charges under the UCMJ.
 - b. Ask if they, or anyone close to them, have been affected by sexual assault. Explain that you are not asking to be invasive or to exclude them from becoming an advocate. Due to the graphic nature of this training, we are seeking to avoid re-victimization. If the service member feels confident that they have resolved the issue, allow them to become an advocate. If the issue was fairly recent (within 12 months), be sure to have a good discussion about this as this type of work, and the training itself, could possibly trigger an emotional response.
 - c. Explain the logistics of the training and the importance of the Victim Advocate-SARC relationship.