



DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE

Department of Defense Fiscal Year 2009 Annual Report on Sexual Assault in the Military

March 2010





**OFFICE OF THE SECRETARY OF DEFENSE
SEXUAL ASSAULT PREVENTION
AND RESPONSE OFFICE**

DoD Fiscal Year (FY) 2009 Annual Report on Sexual Assaults in the Military Services

TAB 1: FY09 Department of Defense Annual Report
on Sexual Assaults in the Military Services

TAB A: FY09 Department of the Army Report

TAB B: FY09 Department of the Navy Report

TAB C: FY09 Department of the Air Force Report



**OFFICE OF THE SECRETARY OF DEFENSE
SEXUAL ASSAULT PREVENTION
AND RESPONSE OFFICE**

TAB 1



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“The Department has a no-tolerance policy toward sexual assault. This type of act not only does unconscionable harm to the victim; it destabilizes the workplace and threatens national security.”

- Secretary of Defense Robert M. Gates

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LETTER FROM THE DIRECTOR



Dear Members of Congress,

Each year we are pleased to provide Congress a report on the progress of the Department of Defense (DoD) in preventing and responding to the crime of sexual assault. This year's report, *Department of Defense Fiscal Year 2009 Annual Report on Sexual Assault in the Military*, documents the considerable advances the Department made in sexual assault prevention, response, and program oversight from October 1, 2008, through September 30, 2009.

As detailed throughout this report, our progress is real. We have been working to standardize, professionalize, and institutionalize our program across the Department. Every Service member should have the expectation of serving in any location around the world without the threat of sexual assault.

Progress has been possible as a result of the collaborative efforts within the Department. Drawing on the promising practices of our counterparts in the civilian community, we have raised the tempo of preventing and responding to this crime to an all-time high. Credit for building this momentum falls to the unwavering commitment of the dedicated men and women—both civilian and military—who share responsibility for implementing the Sexual Assault Prevention and Response (SAPR) Program. Each of the key players in the Department—the Army, Navy, Air Force, Marine Corps, National Guard, and Reserve Component—should be recognized for making these policies part of how the Department does business every day.

Our commitment is steadfast because behind each report is an individual whose life is changed forever. To each we send our heartfelt support.

Our vision is simple: Enable military readiness by establishing a culture free of sexual assault. In 2009, we made significant progress. In the coming years, we will continue our efforts with unrelenting resolve because one sexual assault is too many.

This is our duty!

A handwritten signature in cursive script that reads "Kaye Whitley".

Kaye Whitley, Ed.D.
Director
Sexual Assault Prevention and Response Office

I. EXECUTIVE SUMMARY

Sexual assault is a crime that is incompatible with service in the United States (U.S.) Armed Forces. It undermines core values, degrades military readiness, subverts goodwill, and forever changes the lives of victims and their families. In 2005, the Department enacted the Sexual Assault Prevention and Response (SAPR) Program to encourage increased reporting of the crime, facilitate improved access to victim care, better organize response resources, and promote prevention. The Department's vision is to enable military readiness by establishing a culture free of sexual assault. The Sexual Assault Prevention and Response Office (SAPRO) within the Office of the Secretary of Defense is responsible for the policy that supports this program and oversight activities that ensure its effectiveness. The Department of Defense (DoD) policy requires each Military Service to maintain its own SAPR program, investigate Unrestricted Reports of sexual assaults, and hold subjects appropriately accountable.

Section 577(f) of Public Law (PL) Number (No.) 108-375 requires the Secretary of Defense to submit an annual report to Congress on sexual assaults involving members of the Armed Forces. Additional reporting requirements are specified by Section 596(c) of PL No. 109-163 and Section 583 of PL No. 109-364. This report fulfills those requirements and describes sexual assaults reported during fiscal year (FY) 2009, which is from October 1, 2008 through September 30, 2009. Supporting reports from the Secretaries of the Military Services are included in the appendices of this report.

This report discusses improvements to SAPR policy and programs, provides statistics and analysis of reported sexual assaults, and outlines plans to enhance support to victims and prevent the crime. As detailed in this report, the Department made significant progress in its program goals during FY09.

The Department's goal is to prevent sexual assault through institutionalized prevention efforts that influence the knowledge, skills, and behaviors of Service members to stop a sexual assault before it occurs. At the beginning of the year, the Department provided its *Sexual Assault Prevention Strategy* to the senior leadership of each Military Service. As part of this comprehensive strategy, the Department deployed a social marketing campaign during its observance of Sexual Assault Awareness Month (SAAM). In support of the DoD strategy, the Secretary of Defense met with the Service Secretaries in July 2009 on the topic of sexual assault in the military. Also, each of the Military Services held General Officer and other senior leadership summits to communicate the importance of sexual assault prevention and the commander's role in the SAPR program. The Military Services also expanded prevention training by adapting and implementing empirically supported civilian programs, as well as creating their own research-based curricula.

The Department seeks to increase the reporting of sexual assault by improving military members' confidence in the military criminal justice process, enhancing the education they receive about reporting options, and reducing the stigma and other barriers that deter reporting. The SAPR policy enacted in 2005 has encouraged as many as 700

additional victims to report each year by offering a confidential reporting option, called Restricted Reporting. This year, 2,670 military victims reported sexual assault, which reflects an 11-percent increase in reporting from FY08. While the numbers of reports have increased, the rates of reporting have increased as well. This year, the Department received 2.0 reports of sexual assault per thousand Service members, which is an increase from the 1.6 reports per thousand in FY07 and the 1.8 reports per thousand in FY08. Given that most sexual assaults are not reported, the Department expects that this increase in reporting behavior reflects a greater proportion of victims coming forward, not an increase in crime.¹ To continue this reporting trend, the Department refined SAPR training requirements for members in accession training and pre-command training, issued memoranda to encourage greater privacy and reduce stigma for individuals using mental health resources, and developed projects to encourage help-seeking behaviors. As required by Department policy, the Military Services provided annual SAPR program training or refresher training to the Force during FY09.

The Department is improving victim resources and the capabilities of personnel who respond to sexual assault allegations. The Department seeks sexual assault response improvements through programs, policies, and activities that advance victim care and enhance the military criminal justice process. Sexual Assault Response Coordinators (SARC) and Victim Advocates (VA) are responsible for ensuring medical, counseling and legal support services are available for victims of sexual assault. This year, SARCs and VAs made an average of 1.8 support service referrals for victims making Unrestricted Reports, and 1.4 support service referrals for victims making Restricted Reports. As part of the priorities set by the Secretary of Defense, SAPRO worked with the Military Criminal Investigative Organizations (MCIO) (Army Criminal Investigations Command [USACID], Naval Criminal Investigative Service [NCIS], and Air Force Office of Special Investigations [AFOSI]) to create a DoD sexual assault investigators course, obtained funds for military trial counsel training initiatives, and collaborated with the Pennsylvania Coalition Against Rape (PCAR) on an educational curriculum to improve civilian rape crisis center support of military victims. The Department is also revising and expanding SAPR program training requirements for military personnel to include: commanders, law enforcement personnel, investigators, trial counsel, and military judges. This year, the Military Services trained hundreds of SARCs and VAs to provide direct support to victims. In addition, the Military Services either added or were planning to add more than 100 criminal investigators dedicated to sexual assault investigations.

The Department is ensuring the SAPR program works as intended. This “system accountability” is achieved through data collection, analysis, and reporting of case outcomes, as well as review of ongoing SAPR efforts to ensure the desired programmatic solutions are being attained. In order to improve data collection, analysis, and case management, the Department initiated the development of the Defense Sexual Assault Incident Database (DSAID). The Military Services have agreed to

¹ Estimates show that between 22 to 41.6 percent of the sexual assaults that occur in America are reported to police according to the U.S. Department of Justice (2008). *Criminal Victimization, 2007*. Washington, DC: Author.

update their own data systems to support DSAID, making it the Department's official source for sexual assault reporting and analysis once established. Also, throughout FY09, representatives from SAPRO, other DoD components, and the Military Services worked collaboratively to improve SAPR program strategic planning and oversight. This year, the Military Services reported the outcomes of cases using newly implemented, standardized definitions. In FY09, 2,284 sexual assault investigations were completed, involving 2,279 military subjects who were under the legal authority of the Uniform Code of Military Justice (UCMJ). At the end of FY09, 299 of the subjects had not yet received a final disposition of their case and will be reported on next year. Of the remaining 1,980 subjects, the Department was precluded from taking action against 997 for reasons including insufficient evidence of any offense existed, the victim declined to participate in the military criminal justice process, and the allegations were determined to be unfounded.² The remaining 983 subjects received final disposition of their case during FY09. Of these, 42 percent had court-martial charges preferred (initiated), 36 percent received punishment under Article 15 of the UCMJ, and 22 percent received a discharge or another adverse administrative action. This year, SAPRO and the Military Departments assisted in reviews of the SAPR program by the Government Accountability Office (GAO) and the Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS). Both organizations are scheduled to release reports with findings and recommendations in early FY10.

The Department wants its stakeholders to know about its progress in SAPR. Knowledge and understanding of the SAPR program by Congress, DoD leadership, and other stakeholders develops as a result of the Department communicating the benefits of SAPR programs, conducting and disseminating research specific to SAPR in the military environment, and ensuring uniform definitions and reporting processes across the Military Services. This year, the SAPRO Director and representatives from the Military Services testified at congressional hearings about the progress being made in SAPR programming throughout the Department. In addition, the Military Services created steering committees and held summit meetings to involve civilian and military leadership as champions of the SAPR program. The Military Services also launched research projects to better understand the incidence of sexual violence among military personnel.

² Unfounded is a determination that the allegations, as made against the subject, do not meet all legal elements of any of the SAPR sexual assault offenses. These cases are either false or baseless. Interviews with MCIOs and other data indicate that false reports are rare, as reported by DTF-SAMS and the Defense Task Force-Sexual Health and Violence at the Military Service Academies. For more information, please see "Concerns about False Reporting" in the DTF-SAMS report, dated December 2009, page 33, and Finding 20B, page 34, of the Defense Task Force-Sexual Health and Violence at the Military Service Academies, dated June 2005.

II. INTRODUCTION

This report is the *Department of Defense Fiscal Year 2009 Annual Report on Sexual Assault in the Military*, required by Section 577 of Public Law (PL) Number (No.) 108-375, National Defense Authorization Act (NDAA) for fiscal year (FY) 2005. Section 596 of PL No. 109-63, the NDAA for FY06, and Section 583 of PL No. 109-364, the NDAA for FY07, impose additional requirements for the report.

The sexual assault reports described in this annual report were made during FY09, which runs from October 1, 2008 through September 30, 2009. This is the Department's third annual report done on an FY basis. Before FY07, annual reports from the Department were based on the calendar year (CY). Congressional revisions to Article 120 of the Uniform Code of Military Justice (UCMJ) on October 1, 2007, drove the Department to align its reporting collection period from CY to FY.

III. SEXUAL ASSAULT PREVENTION AND RESPONSE IN THE DEPARTMENT OF DEFENSE

A. SEXUAL ASSAULT IN THE MILITARY ENVIRONMENT

Leading studies indicate that most sexual assaults that occur in America are not reported to law enforcement.^{3 4} The Department's own statistics indicate that only 20 percent of unwanted sexual contacts are reported to a military authority.⁵ Underreporting poses a serious challenge to military readiness because the potential costs and consequences of sexual assault are extremely high. Chronic psychological consequences may include depression, post-traumatic stress disorder, and substance abuse.⁶ In the Armed Forces, sexual assault not only degrades individual resilience but also erodes unit integrity. Service members risk their lives for each other and seek to keep fellow Service members out of harm's way. Sexual assault breaks this important bond and tears apart military units. An effective fighting force cannot tolerate sexual assault within its ranks. Sexual assault is incompatible with military culture, and the costs and consequences for mission accomplishments are unbearable.

³ Estimates show that between 22 to 41.6 percent of the sexual assaults that occur in America are reported to police according to the U.S. Department of Justice (2008). *Criminal Victimization, 2007*. Washington, DC: Author.

⁴ Rand, M., Rennison, C., and U.S. Department of Justice. (2002). *Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992-2000*. Washington, DC: Rennison, Callie Marie. Retrieved from <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=1133>.

⁵ U.S. Department of Defense (2008). *2006 Workplace and Gender Relations Survey of Active Duty Members*. Washington, DC: Defense Manpower Data Center. Retrieved from http://www.sapr.mil/contents/references/WGRA_OverviewReport.pdf.

⁶ U.S. Department of Health and Human Services Centers for Disease Control and Prevention (2007). *Understanding Sexual Violence Fact Sheet, 2007*. Washington, DC: Author. Retrieved from <http://www.cdc.gov/ncipc/pub-res/images/SV%20Factsheet.pdf>.

B. SEXUAL ASSAULT PREVENTION AND RESPONSE HISTORY

In 2004, the Department aggressively changed its approach to sexual assault prevention and response (SAPR) after learning of reports of sexual assault from Service members deployed to Iraq and Kuwait. On February 5, 2004, then-Secretary of Defense Donald Rumsfeld directed the Department to undertake a 90-day review of all sexual assault policies and programs and recommend changes to increase prevention, promote reporting, enhance the quality and support provided to victims, and improve accountability for subject actions. The Department of Defense (DoD) Care for Victims of Sexual Assault Task Force was created, and it later identified 35 key findings relevant to sexual assault policies and programs among the Military Services and the Department. The Task Force proposed nine broad recommendations for immediate, near-term, and long-term corrective action.

The Department established the Joint Task Force for Sexual Assault Prevention and Response (JTF-SAPR) in October 2004 to develop a comprehensive SAPR policy for the Department based on the recommendations of the Care for Victims of Sexual Assault Task Force. The JTF-SAPR authored 13 Directive-Type Memoranda (DTM) that fundamentally changed DoD policy, including the addition of a confidential reporting option for victims. The DTMs are the foundation of the two policy documents used today: DoD Directive (DoDD) 6495.01, *The Sexual Assault Prevention and Response (SAPR) Program*, and DoD Instruction (DoDI) 6495.02, *Sexual Assault Prevention and Response Program Procedures*.^{7 8} DoDI 6495.02 was modified in FY08 to strengthen initial policy by closing DoD-identified gaps and clarifying Military Service responsibilities.

The DoD-wide change in policy was also intended to address events at the Military Service Academies (MSA). In 2003, after receiving reports from cadet victims, former member of Congress, Tillie Fowler, was appointed to lead a review of the treatment of women at the U.S. Air Force Academy (USAFA). Based on the findings of the Fowler Commission at the USAFA, the Task Force on Sexual Harassment and Violence at the MSAs was launched in 2004. Congress directed this task force to assess and make recommendations concerning how the Departments of the Army and the Navy could more effectively address sexual harassment and assault at the U.S. Military Academy (USMA) and the U.S. Naval Academy. Congress later passed legislation to require an annual assessment of the MSAs' SAPR programs by the Department.

In October 2005, the Department established the Sexual Assault Prevention and Response Office (SAPRO) to take over as the single point of responsibility for SAPR policy in the Department. However, medical care, legal processes, and criminal investigations remained the responsibility of the Office of the Assistant Secretary of Defense (OASD) for Health Affairs (HA), the Judge Advocates General (JAG) of the Military Services, and the DoD Inspector General (IG), respectively. In the last 5 years, the Department has developed a prevention strategy, increased reporting, improved

⁷ DoD Directive 6495.01 is current as of October 6, 2005.

⁸ DoD Instruction 6495.02 is current as of November 13, 2008.

care and response to victims, implemented program oversight, and expanded knowledge of the SAPR program among Service members.

C. DEFINITION OF SEXUAL ASSAULT

The military definition of “sexual assault” does not refer to one specific crime; rather, it encompasses a range of sex crimes that represent a broad spectrum of offenses from rape or nonconsensual sodomy to wrongful sexual contact, as well as attempts to commit these offenses. Consequently, the definition of sexual assault in the military is broader than rape. During the time period of this report, DoDD 6495.01 defines sexual assault as follows:

For the purpose of this Directive and SAPR awareness training and education, the term ‘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 (oral or anal sex), and other unwanted sexual contact 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 lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused’s use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating relationship by itself or the manner of dress of the person involved with the accused in the sexual conduct at issue shall not constitute consent.⁹

Sexual assault is also defined in military law, as laid out in the UCMJ. The sexual crimes that fall under SAPR policy are included in Article 120, Rape, Sexual Assault, and Other Sexual Misconduct, and Article 125, Sodomy.^{10 11} Article 120 includes the crimes of rape, aggravated sexual assault, aggravated sexual contact, and abusive sexual contact. For incidents that occurred before the UCMJ changes on October 1, 2007, sexual assault included rape, nonconsensual sodomy, indecent assault, and attempts to commit these acts. Article 125 includes the crime of forcible sodomy. Attempts to commit these crimes are also included under the SAPR policy.

⁹ U.S. Department of Defense (2008). DoD Directive 6495.01. *Sexual Assault Prevention and Response (SAPR) Program*. Washington, DC: Author. E2.1.13.

¹⁰ U.S. Department of Defense (2008). Uniform Code of Military Justice. Article 120, *Rape and Carnal Knowledge*. Washington, DC: Author. Retrieved from <http://www.au.af.mil/au/awc/awcgate/ucmj2.htm#920.%20ART.%20120.%20RAPE%20AND%20CARNAL%20KNOWLEDGE>.

¹¹ U.S. Department of Defense (2008). Uniform Code of Military Justice. Article 125, *Sodomy*. Washington, DC: Author. Retrieved from <http://www.au.af.mil/au/awc/awcgate/ucmj2.htm#925.%20ART.%20125.%20SODOMY>.

Non-contact sexual crimes, such as indecent exposure, stalking, and incidents of sexual harassment, are not included in this document. Sex crimes against children and spouses are also not contained in this report.

D. VICTIM CARE

When the Department adopted SAPR policy in 2005, it used existing promising practices from the civilian community as a framework to shape the military's response system. This system comprises professionals from several disciplines who work as a team to provide expert care for victims worldwide 24 hours a day, 7 days a week.

Victim care begins immediately upon the report of a sexual assault. At the heart of the sexual assault response system are the Sexual Assault Response Coordinators (SARC) and Victim Advocates (VA). Every military installation in the world, both in garrison and deployed, have SARCs and VAs who provide a human element to the Department's response. They assist victims by providing them with three fundamental principles of victim care: safety and security, a place to ventilate and to be validated, and the ability to predict and be prepared.¹²

First, victims need to feel safe. SARCs and VAs work with victims to identify and address issues related to their physical safety, as well as concerns about re-victimization by the perpetrator or others who might retaliate against the victim for making a report. Second, victims need to talk about what happened. Although they are not therapists, SARCs and VAs are trained to be attentive listeners. Their job is not to gather details about the assault but rather to validate victims' reactions to and feelings about the incident in a non-judgmental way. Finally, victims need to know their options, their legal rights, and what actions will likely follow. SARCs and VAs explain the reporting options and how they may affect the victim's future. SARCs and VAs listen to victims' needs and then connect them with appropriate resources, including medical care, mental healthcare, legal advice, and spiritual support. They ensure that Service members are not left alone to navigate the potentially daunting process of reporting a sexual assault. They also support victims in decision making. Victims who elect to make an Unrestricted Report, which involves command notification, are also kept informed of the progress of their report via information gathered by the SARC at monthly multidisciplinary case management meetings. These meetings allow the SARC to coordinate care and remain aware of the case status as the case progresses through investigation and prosecution. As a result of the dedication of SARCs and VAs, victims have access to information about how their case is proceeding and what will happen next.¹³

SARCs manage an installation or unit's SAPR program, serving as the single point of contact to coordinate victim care and track the services provided to each victim. While the SARC primarily provides management and oversight of victim services, VAs provide

¹² In this report, the term "ventilate" means to examine, discuss, or investigate freely and openly.

¹³ The fundamental principles of victim care are commonly used by practitioners in federal victim assistance agencies, such as the U.S. Department of State.

direct assistance to victims. VAs also help victims navigate the military's response network. SARCs and VAs are the core of the response system, but they receive a great deal of help from other members of the team, including healthcare and mental healthcare providers, chaplains, commanders, investigators, judge advocates (JA), and victim and witness assistance personnel (VWAP).

Healthcare providers treat sexual assault victims both physically and psychologically. Physicians, physician assistants, and nurses all contribute to treating injuries, managing the risk of sexually transmitted infections, and sometimes gathering evidence during a sexual assault forensic exam (SAFE). Psychologists, psychiatrists, social workers, and other mental health professionals assist the victim in restoring the function and resilience lost in the sexual assault.

Chaplains provide spiritual support to victims of sexual assault. Generally, information communicated to chaplains during spiritual counseling is privileged, and, therefore, kept confidential.¹⁴ Chaplains may be an additional resource for victims of sexual assault in both Restricted and Unrestricted Reports. The definitions of Restricted and Unrestricted Reports are found in the *Reporting Options* section of this report.

Law enforcement, criminal investigators, VWAP personnel, and JAs also support victims. While a case is being investigated and prosecuted under an Unrestricted Report, VWAP personnel help victims understand their legal rights, understand and participate in the military criminal justice process, and obtain needed resources. This support helps minimize the risk of secondary victimization and increases the likelihood that victims will stay with the process through its conclusion.^{15 16} This type of support also helps the victim through the recovery process.¹⁷

Commanders at all levels have a unique responsibility to support sexual assault response as they set the tone and expectations in their units. Through a commander's commitment to SAPR policies and programs, he or she can demonstrate firsthand the Department's resolve to preventing sexual assaults while working to reduce the fear and stigma associated with reporting.

At the policy level, the Department continues to strengthen internal and external partnerships with organizations that help care for victims. Within the Department, SAPRO works closely with OASD for HA, the Office of the Judge Advocate General (OTJAG), Military Criminal Investigative Organizations (MCIO), Military OneSource, Office of Diversity Management and Equal Opportunity (DMEO), the DoD Family Advocacy Program (FAP), the DoD IG, Office of the Secretary of Defense (OSD) Legal

¹⁴ Communications made to a chaplain as a formal act of religion or a matter of conscience according to the Military Rule of Evidence 503.

¹⁵ U.S. Department of Defense (2007). DoD Directive 1030.1, *Victim and Witness Assistance*. Washington, DC: Author.

¹⁶ U.S. Department of Defense (2004). DoD Instruction 1030.2, *Victim and Witness Assistance Procedures*. Washington, DC: Author.

¹⁷ Campbell, R. (2006). *Rape Survivors' experiences with the legal and medical systems*. *Violence Against Women*, 12(1), 30–45.

Policy, and the offices of the Military Service Secretaries. Federal partners include the U.S. Department of Homeland Security (DHS) (U.S. Coast Guard), U.S. Department of Veterans Affairs (DVA), U.S. Department of Justice (DOJ) (Office for Victims of Crime [OVC], Office on Violence Against Women, and National Institute of Justice), U.S. Department of Health and Human Services, Centers for Disease Control, and U.S. Department of State. In addition, the Department works with community partners, including many state coalitions against sexual assault; PCAR; the Rape, Assault, Incest National Network (RAINN); the National Organization for Victim Assistance (NOVA); Men Can Stop Rape (MCSR); and the National Sexual Violence Resource Center (NSVRC).

E. REPORTING OPTIONS

The Department offers two sexual assault reporting options: Restricted and Unrestricted Reporting. The creation of the Restricted Reporting option in June 2005 was a critical addition to the program. Restricted Reporting allows victims to confidentially access medical care and advocacy services. DoDD 6495.01 defines it as:

A process used by a Service member to report or disclose that he or she is the victim of a sexual assault to specified officials on a requested confidential basis. Under these circumstances, the victim's report and any details provided to a healthcare provider, the Sexual Assault Response Coordinator (SARC), or a Victim Advocate (VA) will not be reported to law enforcement to initiate the official investigative process unless the victim consents or an established exception is exercised under this Directive.¹⁸

The Department defines Restricted Reporting as a confidential reporting method “that allows a Service member to report or disclose to specified officials that he or she has been the victim of a sexual assault. This reporting option gives the member access to medical care, counseling, and victim advocacy, without requiring those specific officials to automatically report the matter to law enforcement or initiate an official investigation.”¹⁹ This covered communication is defined as “verbal, written, or electronic communications of personally identifiable information concerning a sexual assault victim or alleged assailant provided by the victim to the SARC, VA, or healthcare personnel related to his or her sexual assault.”²⁰

Restricted Reporting does more than allow victims to confidentially access medical care. It preserves the possibility of future prosecution by allowing victims to anonymously receive SAFEs. Following the examination, military law enforcement holds the evidence under an anonymous alphanumeric identifier for up to 1 year. Although victims may convert their reports from Restricted to Unrestricted at any time, evidence

¹⁸ U.S. Department of Defense (2008). DoD Directive 6495.01. *Sexual Assault Prevention and Response (SAPR) Program*. Washington, DC: Author. E2.1.10.

¹⁹ U.S. Department of Defense (2008). DoD Directive 6495.01. *Sexual Assault Prevention and Response (SAPR) Program*. Washington, DC: Author. E2.1.2.

²⁰ U.S. Department of Defense (2008). DoD Directive 6495.01. *Sexual Assault Prevention and Response (SAPR) Program*. Washington, DC: Author. E2.1.3.

gathered during the forensic examination is destroyed 1 year from its collection date. One month before the expiration of that year, the SARC contacts the victim to determine if he or she would like to convert to an Unrestricted Report and participate in the military criminal justice process. Restricted Reporting allows for the preservation of evidence that would be otherwise unavailable.

Although Restricted Reporting does not disclose the identity of the victim or trigger the investigative process, commanders are provided with limited information about the incident, which allows them to address force protection concerns. In this way, the Department is able to honor a victim's privacy while taking steps to keep others safe. The Department is also able to offer victims care and treatment that they may have foregone without this confidential option.

It should be noted that because of the state laws that mandate reporting by healthcare providers, sexual assault victims cannot make a Restricted Report if they seek medical care or forensic exams in the state of California.²¹

Although departmental policy allows for confidential Restricted Reports, it encourages victims to make Unrestricted Reports that allow the Department to investigate and hold subjects accountable. Victims who initially make a Restricted Report may change their selected reporting option and participate in an official investigation at any time. In addition, if information about a sexual assault comes to a commander's attention or to the attention of law enforcement independent of a victim's report, an investigation will be initiated.

Under Unrestricted Reporting, when a victim reports an incident of sexual assault, the matter is referred for investigation and victim's rights apply.²² As in Restricted Reporting, victims may receive healthcare, counseling, and advocacy services. However, in an Unrestricted Report, details of the incident are reportable to command and law enforcement.

DoDD 6495.01 defines Unrestricted Reporting as:

A Service member who is sexually assaulted and desires medical treatment, counseling, and an official investigation of his or her allegation should use existing reporting channels (e.g., chain of command, law enforcement, or report the incident to the SARC). When notified of a reported sexual assault, the SARC will immediately assign a VA. Additionally, at the victim's discretion or request, the healthcare provider shall arrange a SAFE to be conducted,

²¹ California's mandatory reporting laws also impact victims in Arizona for whom the nearest military treatment facility is in California. Please refer to each U.S. state and territory mandatory reporting laws for specific information.

²² U.S. Department of Defense (2007). DoD Directive 1030.1, *Victim and Witness Assistance*. Washington, DC: Author, 4.4.

*which may include the collection of evidence. Details regarding the incident will be limited to only those personnel who have a legitimate need to know.*²³

SARCs and VAs work with victims to help them understand the reporting options described above. To ensure victims make informed choices, the Department developed the Department of Defense (DD) Form 2910, *Victim Reporting Preference Statement*, which fully explains the benefits and the limitations of each reporting option. This form is completed by the victim with the assistance of the SARC or VA in every case.²⁴

F. SEXUAL ASSAULT ADVISORY COUNCIL BACKGROUND

Guiding SAPR policy is the Sexual Assault Advisory Council (SAAC), which was established by DoDI 6495.02.²⁵ SAAC members and advisors include representatives from DoD offices, including the Military Services, and federal partners. The Under Secretary of Defense (USD) for Personnel and Readiness (P&R) serves as the Chair of the SAAC. The Deputy Under Secretary of Defense (DUSD) for Plans (P) serves as the Executive Secretary.

The SAAC has four primary duties. First, the body advises the Secretary of Defense on policies for sexual assault issues involving members of the Armed Forces. Second, the group coordinates policy and reviews SAPR policies and programs. Third, the SAAC monitors the progress of program elements. Fourth, it assists in developing policy guidance for the education, training, and awareness of DoD personnel regarding SAPR matters.

The SAAC has four subcommittees that bring together Military Services and federal partners to assist with the military's endeavor to prevent and respond to sexual assault. Each subcommittee has a Military Service co-chair and a SAPRO co-chair and are organized by the following functional areas: Policy and Accountability, Training, Research, and Outreach. During FY09, the subcommittees met to refine and improve SAPR policy and programs discussed throughout this report and reported accomplishments to the SAAC.

IV. FY09 SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM HIGHLIGHTS

SAPRO achieved several significant accomplishments in FY09. Additional details about SAPRO's activities can be found in the *Prevention*, *Response*, and *Oversight* sections of this report.

²³ U.S. Department of Defense (2008). DoD Directive 6495.01. *Sexual Assault Prevention and Response (SAPR) Program*. Washington, DC: Author. E2.1.16.

²⁴ See Appendix, Tab J, DD Form 2910, "Victim Reporting Preference Statement," which explains and documents a victim's elected reporting option.

²⁵ U.S. Department of Defense (2008). DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*. Washington, DC: Author. 5.9.

A. EDUCATING ON SEXUAL ASSAULT PREVENTION

Preventing sexual assault in the military was the centerpiece of the Department's SAPR activities in FY09. A key component of the *Sexual Assault Prevention Strategy* is the promotion of community education initiatives that focus on prevention. In FY08, prevention experts recommended that the Department develop a social marketing campaign that would tie together the many interventions across the "spectrum of prevention" within the military society.²⁶ Social marketing involves the application of commercial marketing principles, along with other concepts and techniques, to achieve specific behavioral goals for a social good.²⁷ For example, Mothers Against Drunk Driving (MADD) has used a very effective social marketing campaign since the 1970s to change societal attitudes about drunk driving and to encourage prevention by asking for someone's car keys.

In FY09, SAPRO worked with MCSR, a non-profit organization nationally renowned for its sexual assault prevention messaging and programming, to assist in the development of a military-wide social marketing campaign for the Military Services. The theme for this campaign was "My Strength Is for Defending: Preventing Sexual Assault Is Part of My Duty." The campaign's central focus was on the importance of bystander intervention, which empowers individuals to act in emergency situations when other people are present. The materials developed as part of this social marketing campaign included video and audio public service announcements (PSA), themed DoD and Service-specific posters, poster discussion guides, a *Command Resource Guide*, a new prevention-oriented web address, and an updated exhibit booth.²⁸ These outreach materials were distributed to more than 300 locations worldwide. This initiative is discussed in greater detail in the *Prevention* section of this report.

B. SECRETARY OF DEFENSE'S SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM PRIORITIES

In FY08, Secretary of Defense Robert Gates identified the following four priorities in SAPR programming:

- Reducing stigma associated with sexual assault reporting
- Ensuring sufficient commander training
- Ensuring investigator training and resourcing
- Ensuring trial counsel training and resourcing.

Throughout FY09, the Department focused on the execution of these priority areas.

²⁶ The "Spectrum of Prevention" comprises influencing policy and legislation, changing organizational practices, fostering coalitions and networks, educating providers, promoting community education, and strengthening individual knowledge and skills.

²⁷ The National Social Marketing Centre (2006). *What is social marketing?* Retrieved January 27, 2010 from the National Social Marketing Centre's web site: <http://www.nsmcentre.org.uk/what-is-social-marketing.html>.

²⁸ *The Commander Resource Guide* can be found at www.myduty.mil.

The following list includes several initiatives undertaken this year by the Department to advance the Secretary's priorities:

- Designed the social marketing campaign to demonstrate behaviors supportive of sexual assault reporting in order to reduce the stigma associated with reporting
- Issued a memorandum signed by USD Intelligence and USD P&R to emphasize that a victim's use of mental health counseling following a crime is not, in and of itself, a reason to revoke or deny a security clearance in order to reduce the stigma associated with reporting and encourage the use of support services²⁹
- Issued a DTM to revise command notification requirements to dispel stigma associated with those who receive mental healthcare³⁰
- Reviewed pre-command SAPR program training in four Military Departments, one National Guard Bureau (NGB) unit, and one Reserve unit via the Policy Assistance Teams (PAT)
- Revised commander training requirements in DoDI 6495.02 to ensure sufficient training and accountability throughout every level of command
- Issued a *Command Resource Guide* to the SAPR program as part of the Department's Sexual Assault Awareness Month (SAAM) observance
- Drafted a sexual assault investigators training course Statement of Work in anticipation of a contracting action on this course in FY10
- Identified and obtained funding for a trial counsel training course
- Briefed the Secretary of Defense in July 2009 to discuss Military Service SAPR programs, resourcing, and progress on the four priorities (presented by the Secretaries of the Military Departments)
- Briefed the USD P&R to discuss SAPR programming and the Secretary's priorities (presented by the Assistant Secretaries for Manpower and Reserve Affairs [M&RA] of the Military Departments).

C. OVERSIGHT FRAMEWORK FOR SEXUAL ASSAULT PREVENTION AND RESPONSE

In FY09, the Department set out to define a roadmap to institutionalize SAPR oversight activities across the Military Services. The *Oversight Framework for SAPR* lays out the oversight process for the entire Department to implement over a 3-year timeframe, with SAPRO as the lead implementer. Two independent documents inform the *Oversight Framework for SAPR*: (1) the *DoD-Wide SAPR Strategic Plan* and (2) the *SAPRO Strategic Plan*. These documents are composed of detailed activities for the Military Services and SAPRO, respectively. These two strategic plans are considered "living

²⁹ Memorandum for Secretaries of the Military Services entitled "Mental Health Counseling and Treatment and Security Clearances" can be found in Appendix, Tab F.

³⁰ Directive-Type Memorandum (DTM) 09-006, "Revising Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Military Personnel," can be found in Appendix, Tab E.

documents” and can be reviewed annually for modifications. The processes laid out in the *Oversight Framework for SAPR* will track progress toward implementation of the actions in these documents. Together, these documents provide a uniform guideline for the future of SAPR programs. All three documents are discussed further in the *Oversight* section of this report.

D. SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE REORGANIZATION

Execution of the *DoD-Wide SAPR Strategic Plan* and *Oversight Framework for SAPR*, as well as the day-to-day work to improve SAPR in the Department, will require SAPRO to fill current vacancies and augment the number of full-time positions. During FY09, SAPRO created a plan to reorganize and add additional manpower, bringing the total number of projected SAPRO positions to 21. As the reorganization is finalized, the Department will consider recommendations by the Government Accountability Office (GAO) and the Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS), which could affect the final office configuration.

V. SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM RESPONSIBILITIES AND INITIATIVES

A. PREVENTION

Many reasons exist to prevent sexual assault in the military. First, sexual assault levies a tremendous human toll. Although identifiable costs to both military and civilian society are associated with sexual assault, the greatest costs cannot be measured; they can only be seen and experienced when talking to a victim. Sexual assault disrupts lives and can destroy the human spirit. Although many victims will recover, some will never be the same soldiers, sailors, airmen, or marines. Their lives will be forever altered. Co-workers, families, and friends of victims all feel loss as well—the loss of a part of someone for whom they care. This human toll, the greatest of all costs, is what drives the Department to prevent the crime before it occurs and provide victims with quality care.

Within the military, sexual assault is a crime that undermines core values. Although each Military Service has its own list and description of “core values,” there is considerable overlap, especially regarding “Honor” and “Integrity,” which are values typically described by the Military Services as demonstrating outstanding ethical and moral behavior. Other aggregate values include “Commitment,” “Service Before Self,” “Respect,” and “Courage.” Sexual assault undermines these qualities, diluting the validity and essence of all that the Armed Forces represent in not only the minds of military personnel but also the United States.

Second, sexual assault degrades mission readiness and combat effectiveness. Mission readiness defines a unit’s ability to deploy quickly and efficiently, determining its ability to successfully intervene in combat situations. Sexual assault reverberates throughout a

unit and beyond, degrading readiness by devastating the military's ability to work effectively as a team. Victims may not be able to fulfill their duties or may otherwise have their ability to perform the mission compromised. Unit leadership attention shifts from the normal duties involved in maintaining readiness to addressing an alleged perpetrator's misconduct or witness and victim needs and restoring the unit's cohesion and trust. Divisiveness may exist not only within a unit but also between units when an alleged perpetrator, witnesses, and the victim are in different units.

Third, sexual assault subverts strategic goodwill. U.S. military bases are strategically situated in countries across the world, and military personnel represent the goodwill of the Department to the foreign national population.

Sexual assault also takes a financial toll. Although the financial costs and loss of critical skills as a result of sexual violence in the Military Services cannot be conclusively determined, research findings from the civilian community indicate that such costs may be very high. For instance, Post, et al. (2002) estimated that the tangible and intangible costs of women 18–69 years of age who were sexually assaulted in Michigan during 1996 totaled \$6.5 billion.³¹ In addition, in 2007, the Minnesota Department of Public Health estimated that each sexual assault perpetrated against a person over 18 in that state cost an average of \$139,000 in medical and mental healthcare for victims, lost work and other quality-of-life issues, victim services, and criminal justice costs.³²

The Department estimates that the legal expenses it incurs as a result of sexual violence in the military are considerable. For instance, the estimated expenses of a sexual assault case with an Article 32 hearing, a 3-day trial with members, and at least one expert consultant is approximately \$40,000.³³ In FY07, there were 181 sexual assault-related courts-martial; therefore, the legal costs alone were estimated to be more than \$7 million for that year.³⁴

A discussion of the Department's enhanced prevention work is provided in the sections below. This work includes expansion of the DoD prevention program, leadership support of the *Sexual Assault Prevention Strategy*, Military Service prevention training and education, and prevention outreach and collaboration.

³¹ Post, L.A., Mezey, N.J., Maxwell, C., and Wibert, W.N. (2002). *The rape tax: Tangible and intangible costs of sexual violence*. *Journal of Interpersonal Violence*, 17(7), 773-782.

³² Press release, *Cost of sexual assault in Minnesota was approximately \$8 billion in 2005*. Retrieved from <http://www.health.state.mn.us/news/pressrel/cost071707.html>.

³³ Numbers are based on DoD estimates.

³⁴ Numbers are based on DoD estimates.

1. Expansion of the Department of Defense Prevention Program

In the early stages of the SAPR program, the Department focused on implementing its new response structure for victims. However, since 2007, the Department has been collaborating with the nation's experts to develop a prevention strategy for the military and validate SAPR programs. Early on, the Department's prevention requirements largely consisted of awareness training about policy, services available to victims, consequences of sexual assault for a subject, and incompatibility of sexual assault with military core values. Since 2007, the Department has undertaken a more comprehensive approach to prevention by leveraging its members to intervene in situations that might lead to a sexual assault. The current strategy envisions prevention interventions at every level of military society from the policymakers at the top to individuals in the lowest ranks, tied together by a powerful social marketing campaign.

The Department collaborated with the nation's experts to assist in the development of the Sexual Assault Prevention Strategy and the validation of SAPR programs.

2. Leadership Support of the Sexual Assault Prevention Strategy

The Department continued implementation of the *Sexual Assault Prevention Strategy*, which was developed in FY08 with the assistance of several of the nation's civilian and military experts. It is the centerpiece of the Department's SAPR efforts in FY09. Given the differing cultures of the Military Services, the document was created as both a resource and a guide for the Military Services' prevention efforts.

The strategy uses the Spectrum of Prevention as the framework for creating a national benchmark prevention program. The Spectrum of Prevention describes several populations and levels of influence from the social ecology of an organization that are appropriate targets for intervention (i.e., at the level of the individual, peer group, community, organization, and society).³⁵

Interventions range from training for individuals at the lowest level to influencing policy at the highest levels of an organization. By addressing sexual assault at each of the six levels of the Spectrum, the Department's goal is to be at the forefront of prevention nationally and provide a model for others to follow.³⁶

The Spectrum of Prevention



Figure 1: The Spectrum of Prevention consists of interventions at all levels of military society.

³⁵ David, R., Parks, L., and Cohen, L. (2006) *Sexual Violence and the Spectrum of Prevention: Towards a Community Solution*. Enola, PA: The National Sexual Violence Resource Center. Retrieved from <http://www.preventioninstitute.org/pdf/SV%20spectrum%20article.pdf>.

³⁶ McGann, P., Schewe, P. (2008). *DoD Prevention Strategy*. Washington, DC: U.S. Department of Defense.

In January and February 2009, the Principal Deputy Under Secretary of Defense for P&R, DUSD (Plans), and the SAPRO Director personally briefed the *Sexual Assault Prevention Strategy* to senior leaders in each of the four Military Services and the NGB. Also in January 2009, SAPRO and the strategy's co-authors from MCSR briefed the plan and a supporting social marketing campaign to the Military Service Deputy Chiefs of Staff for Personnel, as well as the M&RAs. The goal of these briefings was to demonstrate the Department's commitment to prevention and to ask the senior leadership of each Military Service to engage the Armed Forces on this topic. The Military Services have also engaged their members on the importance of the *Sexual Assault Prevention Strategy* through training, conferences, and program revisions. For example, the U.S. Marine Corps (USMC) conducted a workshop with representatives from the Ground Training Branch to revise the program of instruction conducted in recruit training in order to better support the *Sexual Assault Prevention Strategy*.

The SAPRO Director also presented the *Sexual Assault Prevention Strategy* at a meeting of the professional staff of the Senate Armed Services Committee.

An important activity for FY10 will be to update the *Sexual Assault Prevention Strategy*, which was developed before the *DoD-Wide SAPR Strategic Plan* and *Oversight Framework for SAPR*. Consequently, the Prevention Strategy will need to be revised to align with the *DoD-Wide Strategic Plan*, incorporate feedback from the Military Services, and reflect the recommendations made by various oversight bodies. In addition, SAPRO and the Military Services will identify which prevention actions and initiatives from the *DoD-Wide Strategic Plan* should be implemented and will develop an action plan and timeline to achieve them. Both the *DoD-Wide SAPR Strategic Plan* and *Oversight Framework for SAPR* are further discussed in the *Oversight* section of this report.

3. Military Service Prevention Training and Education

Every Service member has a role in preventing sexual assault and promoting bystander intervention as an effective prevention strategy. As a first step in combating sexual assault, the Department requires all Service members in both active duty and Reserve Component to receive annual awareness training. In addition, sexual assault awareness instruction is currently a mandatory component of all accession training, professional military education programs, and pre-command courses.³⁷

However, awareness is not synonymous with prevention. Nearly all Service members know that sexual assault is a crime that is incompatible with Military Service and is a gross violation of their obligation to protect their fellow warriors from harm. Nevertheless, sexual assault continues to happen in both the military and the civilian community. Therefore, just knowing something is wrong is not a deterrent. A comprehensive prevention effort is actually much more complicated than "just say no." In fact, prevention comprises several initiatives.

³⁷ Department of Defense. DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*. Washington, DC: Author. E3.2.1. and E3.2.1.1.

Chief among the components of the *Sexual Assault Prevention Strategy* is bystander intervention education. The bystander effect can be understood as someone being less likely to intervene in an emergency situation when other people are present. Bystander intervention education is designed to empower people to act in such situations. The Department desires such empowerment to build on the core military values of honor, respect, courage, integrity, and a “protect your fellow soldier, marine, shipmate, or airman” attitude. Men and women must be taught the skills to intervene effectively and safely in situations of sexual misconduct and other circumstances contributing to a climate where sexual assault is more likely to occur. A bystander program affords all members of the Department the opportunity to play a role in preventing their “brothers and sisters” in the military from becoming victims or perpetrators of sexual assault.

Within the past 10 years, a significant number of articles and studies have appeared in relation to the bystander approach and sexual assault.^{38 39 40 41} This large body of research has identified a variety of contributing factors that can help or hinder the pathway to prevention. Drawing from this, the Department has identified the two following goals of bystander education:

- *Develop the Motivation to Act.* All members of the Military Services, regardless of their rank or title, should possess a basic awareness of why the prevention of sexual assault in the military is a positive act, especially as it connects to military values, mission readiness, goodwill, and strong, healthy interpersonal relationships.
- *Apply the Skills to Act.* Individuals should come away from sexual assault education with the knowledge, attitudes, beliefs, and skills necessary to protect themselves and their fellow Service men and women from ever perpetrating sexual assault or being victimized.

Such prevention initiatives in the Department will only have a lasting effect if the leadership of the Military Services supports them. Consequently, the Military Services focused their initial prevention efforts by enlisting their senior leaders as agents of change and held the following prevention-focused meetings in FY08 and FY09:

All Military Service senior leaders are increasing their emphasis on the importance of sexual assault prevention.

³⁸ Banyard, V.L., Moynihan, M.M., and Plante, E.G. (2007). *Sexual violence prevention through bystander education: An experimental evaluation*. Journal of Community Psychology. 35(4), 463–481.

³⁹ Berkowitz, A.D. (2002). *Fostering Men’s Responsibility for Preventing Sexual Assault*. In P.A. Schewe (Ed.), *Preventing Violence in Relationships: Interventions Across the Life Span*. Washington DC: APA Books, 107–136.

⁴⁰ Cummings, K.M., and Armenta, M. (2002). *Penalties for peer sexual harassment in an academic context: The influence of harasser gender, participant gender, severity of harassment, and the presence of bystanders*. Sex Roles, 47(5-6), 273–280.

⁴¹ Kilmartin, C. and Berkowitz, A.D. (2005). *Sexual assault in context: Teaching college men about gender*. Mahwah, NJ, US: Lawrence Erlbaum Associates Publishers, 127.

- Department of the Army Sexual Assault Prevention and Risk Reduction Training Summit (Three- and Two-Star General Officers in attendance; September 2008)
- Department of the Air Force Sexual Assault Prevention and Response Leader Summit (Wing and Vice Wing Commanders in attendance; November 2008)
- Department of the Army “I. A.M. Strong” Sexual Harassment/Sexual Assault Prevention Summit (Senior Enlisted leadership in attendance; April 2009)
- Department of the Navy Sexual Assault Prevention and Response Summit (Senior Navy and Marine Corps officers in attendance; September 2009).^{42 43}



Figure 2: Chief of Naval Operations (CNO) Adm. Gary Roughead delivers remarks during the Department of the Navy SAPR Summit in Washington, DC.

The sustainability of prevention initiatives ultimately lies with military commanders. Senior leadership summits like those listed above demonstrate a new level of commitment to the prevention of sexual assault in the military.

In addition to senior leader sexual assault prevention education, the Military Services worked to develop and refine prevention training. Examples of Military Service prevention training initiatives include the following:

- The Department of the Air Force is currently fielding a well-researched bystander intervention training program that has been designed in three modules: Training for Men, Training for Women, and Training for Leaders. Considerable evaluation and testing occurred before the release of these materials. The anticipated launch for force-wide training is January 2010.
- Within the Department of the Army, the Commanding General of U.S. Army Europe hosted a full-day training event, which focused on bystander intervention, for 149 of his senior military and civilian leaders.

All the Military Services have incorporated Catharsis Productions' "Sex Signals," an audience-interactive program that includes skits dealing with dating, rape, and consent.

⁴² Following the Summit, the Chief of Naval Personnel established a weekly Cross-Functional Team with all key stakeholders to change culture and enhance the prevention of sexual assault in the USN. At the same time, the Assistant Commandant of the USMC convened a high-level Operational Planning Board, and subsequently established an Executive Steering Committee supported by an Action Officer Working Group, to develop and implement a revised strategy for SAPR in the USMC.

⁴³ At the Summit, the Secretary of the Navy established a Secretariat-level Department of the Navy Sexual Assault Prevention and Response Office, led by a senior official who reports directly to the Secretary.

- The USMC revitalized its “Mentors in Violence Prevention (MVP)” Train-the-Trainer program at the Non-Commissioned Officer Academies.
- The Department of the Navy has expanded its number and types of prevention training venues and has accessed civilian agencies to enhance the visibility of SAPR training programs.

To ensure all Military Service training programs include prevention education at every level, the SAAC Training Subcommittee produced revised training requirements in DoDI 6495.02, Enclosure 3.⁴⁴ Specifically regarding accession training, annual refresher training, professional military education, and leadership development training, the following was added: “*Training shall address prevention and behaviors that may reduce sexual assault including bystander intervention, risk reduction, and obtaining affirmative consent.*”⁴⁵ Although many of the Military Services are already expanding their training to include these new requirements, these changes will become mandatory when the policy is reissued in FY10.



Figure 3: “Sex Signals”: The audience reacts to the material in the Catharsis Production of Sex Signals in the Flyers Theater, U.S. Army (USA).

As the Military Services continue to develop additional prevention interventions, they are also developing methods for measuring program effectiveness. Most training targets the modification of knowledge, skills, and behaviors associated with deterring criminal behavior or mitigating fact-based risks. The *Sexual Assault Prevention Strategy* provided a summary of promising prevention practices to guide development of programs. Civilian experts working in the area of sexual assault prevention have yet to arrive at a widely agreed-upon set of outcome metrics for prevention programs and social science research has yet to produce evaluative methods that reliably track personal and social behavior change beyond a few months. Nevertheless, the Department is working to identify metrics or other evaluative means to track prevention program progress.

4. Prevention Outreach and Collaboration

In FY09, the Department effectively focused on its prevention outreach efforts through various communication channels and activities.

The Sexual Assault Advisory Council Subcommittee on Outreach

The SAAC Outreach Subcommittee meets on a monthly basis and includes SAPRO subject matter experts (SME), representatives from each of the four Military Services,

⁴⁴ The SAAC Training Subcommittee reviews current SAPR training, determines whether SAPR training requirements are being met, identifies any extant training gaps, and explores new training methods.

⁴⁵ U.S. Department of Defense (2008). DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*. Washington, DC: Author. E3.

representatives from the National Guard, and federal partners.⁴⁶ The SAAC Outreach Subcommittee develops an outreach plan for the Department on SAPR matters within and outside the Department, evaluates the effectiveness of past and present messaging efforts, identifies networking opportunities and strategies, and reviews and selects various media for outreach opportunities. This subcommittee also works to advance components of the *Sexual Assault Prevention Strategy*.

Typical discussion items and accomplishments of the SAAC Outreach Subcommittee in FY09 included strategizing worldwide outreach initiatives for SAAM, collaborating on themes for the DoD sexual assault social marketing campaign, and discussing and implementing Military Service-level sexual assault outreach initiatives. These monthly meetings ensure sexual assault messaging and initiatives from the Department remain consistent and complementary.

The DoD Sexual Assault Social Marketing Campaign

A key component of the Department's strategy is to promote community education about prevention. Prevention experts recommended that the Department develop a social marketing campaign that would tie together the many interventions across the "spectrum" of military society.⁴⁷ Social marketing applies commercial marketing principles to programs designed to influence the voluntary behavior of a target population in order to improve both personal and societal welfare.

The Department worked with MCSR, a non-profit organization nationally renowned for its striking prevention work and messaging, to assist in the development of a social marketing campaign for the Military Services. MCSR had previously utilized a similar campaign nationally and had proven through research that the chosen theme resonated across different demographics.

The campaign was designed to not only demonstrate key bystander intervention techniques but also encourage victim support and reporting of sexual assault. Before the campaign was launched, SAPRO conducted focus groups, consisting of both men and women, with SARCs, VAs, and enlisted representatives across the four Military Services. A variety of themed posters were shown to the groups to gauge how well the messages resonated. Based on the findings from the focus groups, the theme and materials were updated before the campaign was launched. The theme, "My Strength Is for Defending: Preventing Sexual Assault Is Part of My Duty," focused on the ability of every Service member to prevent sexual assault by taking an active role in looking out for the welfare of friends and co-workers. It also highlighted the linkage of preventing sexual assault to promote each Service member's responsibility for mission readiness.

The Department developed and actively participated in the social marketing campaign.

⁴⁶ A Subject Matter Expert is an individual who is an expert in a particular area.

⁴⁷ McGann, P., Schewe, P. (2008). *DoD Prevention Strategy*. Washington, DC: U.S. Department of Defense. 18.

One of the most impactful components of the social marketing campaign was the development of customized Military Service-specific posters highlighting key concepts in sexual assault prevention.



Figure 4: Selected posters from the DoD social marketing campaign. Additional campaign posters can be found in Appendix, Tab D.



Figure 5: The Army Sexual Harassment/Assault Response and Prevention (SHARP) program launched a social marketing campaign in FY09. Entitled “I. A.M. Strong,” the campaign also focused on the theme of strength and urged the individual soldier to **I**ntervene, **A**ct, and **M**otivate others to prevent sexual assault. SAPRO and the Army worked together to develop a joint branding campaign.

2009 Sexual Assault Awareness Month

The largest outreach initiative in FY09 was the Department's observance of SAAM. Nationally, SAAM occurs in April and is committed to raising awareness and promoting the prevention of sexual violence through the use of special events and public education. SAAM provides an annual opportunity to highlight the Department's program. The Department used the month as a backdrop to disseminate several key messages, including sexual assault prevention; emphasizing a climate of confidence in which sexual assault and the attitudes that promote it are not tolerated; education for victims of sexual assault to receive the care and support they need; and that subjects are held accountable for their actions.



Figure 6: Representatives of the Navy SAPR Program display sexual assault prevention campaign materials to House of Representatives professional staff members at a congressional reception in Washington, DC.

Prevention-themed materials for the social marketing campaign were disseminated throughout SAAM 2009. They consisted of the following:

- Two video and two audio PSAs through the Armed Forces Radio and Television Service and the SAPRO website
- Poster with the theme, "My Strength Is for Defending, Preventing Sexual Assault Is Part of My Duty"
- Four customized Military Service-specific posters highlighting key concepts in prevention and response
- Four discussion guides with content that expanded on the themes in the Military Service-specific posters. SARCs at each installation received the guides as lesson plans for Service member briefings. The guides also contained questions and recommended answers to spark open dialogue with Service members on the prevention of sexual assault
- A *Command Resource Guide* describing the Department's SAAM observance and how best to support the SAPR program
- A new prevention-oriented web address (www.myduty.mil) that links to the Department's updated website and includes revised and expanded help for victims, help for friends and supervisors of victims, and prevention information

All Military Services planned and developed outreach activities and materials for launch during SAAM.

- An updated exhibition booth with the Department’s new branding. This booth was debuted in April 2009 at the Pentagon and staffed for SAAM by the National Capitol Region SARCs and SAPRO staff.

The posters and discussion guides were distributed to SARCs throughout the world and materials were made available electronically through SAPRO’s website. The DoD sexual assault campaign materials and the Military Services’ individual prevention campaigns were also featured in a reception for members of Congress and their staff held at the Capitol Visitors Center in April 2009.



Figure 7: Individuals from around Okinawa begin the Kadena Air Force Base SAAM 5K run/walk on April 12, 2009. The run was one of many events scheduled by area SARCs to raise awareness throughout the month.

To demonstrate leadership commitment to the SAPR program—and for the first time in DoD history—Secretary of Defense Robert M. Gates issued the 2009 SAAM memorandum, marking the Department’s observance of the month-long event. In addition, the Chairman of the Joint Chiefs of Staff (JCS), Admiral Mike Mullen, appeared in a PSA in support of the SAPR program.

Figure 8: SAAM Observance Letter signed by the Secretary of Defense and image taken from Sexual Assault PSA featuring Admiral Mike Mullen, Chairman, JCS. The SAAM Observance Letter can be found in Appendix, Tab I.

A common outreach practice used by Military Service leadership has been the dissemination of senior leadership memoranda and letters setting the expectations of Service members in the area of sexual assault. For example, the USMC Commandant issued a White Letter to commanders and All-Marine (ALMAR) message traffic to USMC as a whole. Subjects of the letters were *Commander's Responsibilities in Addressing Sexual Assault* and ALMAR Letter *Expectation of Ethical Conduct*.

Additional Prevention Outreach Activities

In April and June 2009, SAPRO hosted two prevention-themed webinars via the SAPRO website. These webinars, facilitated by MCSR, focused on the importance of engaging men in the prevention of sexual assault. The first webinar, held during SAAM, provided techniques to help SARCs and VAs engage men as allies in sexual assault prevention. The second webinar, held in June, focused on bystander intervention theory, bystander intervention training for young men, and methods of involving Service men in sexual assault prevention.

SAPRO staff members also provided subject matter expertise to other civilian and military organizations by participating in or discussing the Department's prevention efforts at several conferences throughout FY09, including:

- The Annual Meeting of the Defense Advisory Committee on Women in the Service (March 2009)
- The First Annual National Conference on the Primary Prevention of Men's Violence Against Women (April 2009)⁴⁸
- The DoD Symposium on Alcohol and Sexual Assault (April 2009)
- The 14th International Conference on Violence, Abuse, and Trauma (September 2009).

Throughout FY09, press interviews on the Department's prevention initiatives were conducted with *The New York Times*, National Public Radio, *Chicago Sun Times*, *Military Times*, *Marie Claire* magazine, Alaska Nightly News Radio, The Diane Rehm Show, and the Dot Mil Docs radio show. These interviews were granted to publicize DoD's SAAM observance and social marketing campaign and to educate external audiences on the Department's commitment to sexual assault prevention.

The Department also placed the print prevention advertisement shown in Figure 9 in the *Military Officers Association Magazine*, *Military Times*, *Stars and Stripes*, and Military.com.

⁴⁸ SAPRO's Director and SAPRO's Deputy Director for Policy were honored by the conference leadership for their work in sexual assault prevention in the Armed Forces.



Figure 9: Print prevention advertisement found in various publications.

The *SAPR Source* newsletter was disseminated via the SAPRO website, the SAPRO page on Defense Knowledge Online ([DKO], a DoD social networking site), and the Department's Family Policy website, Military Homefront.⁴⁹ The newsletter is designed to share the latest information on SAPR programs and initiatives within the military. Each newsletter contains a message from the Director, SAPR program stories from the field, a spotlight article on SARCs and VAs, and important SAPR events. This outreach vehicle highlights top prevention initiatives from the Department.

During FY09, the Department worked with the Armed Forces Radio and Television Service (AFRTS) to produce a variety of audio and video PSAs. In the fall of 2008, a series of short spots were created to prevent alcohol-facilitated sexual assault, assist male victims of sexual assault, and advertise reporting options for victims. During FY09, SAPRO began working with the AFRTS creative staff to script four new radio PSAs and four television PSAs for distribution through the Armed Forces Networks and the Pentagon Channel. When released in FY10, the PSAs will demonstrate key concepts in bystander intervention, victim assistance, and the impact sexual assault can have on unit readiness.

University Visits

The Secretary of Defense requested assistance from the Association of American Universities (AAU) to identify promising campus SAPR programs. With the help of AAU and DOJ (OVW), SAPRO identified 10 college programs for further research. SAPRO made contact with these universities to collect and review additional program

⁴⁹ <http://www.militaryhomefront.dod.mil/>.

information, and identified the University of Kentucky and Rutgers, The State University of New Jersey for site visits.

SAPRO staff members completed visits with the University of Kentucky and Rutgers, The State University of New Jersey and took away lessons on several innovative prevention programs. The “Green Dot” program at the University of Kentucky is an innovative violence prevention strategy based on research about social diffusion theory, bystander intervention, and perpetrator behaviors. At Rutgers, members of Students Challenging Realities and Educating Against Myths (SCREAM) Theater participate in improvisational theater performances that educate their peers on sexual assault prevention and encourage bystander intervention. Both of these innovative programs are based in research, have data to support their efficacy, and have promise for and applicability to the SAPR program. As the *Sexual Assault Prevention Strategy* is refined during the next year, SAPRO will determine how to incorporate these programs’ best practices into the revised strategy.

B. RESPONSE

SAPRO is responsible for the policies and procedures governing the multidisciplinary approach to sexual assault response adopted by the Department in CY05. As a policy organization, SAPRO embeds research-supported guidance and best practices from the civilian community in the DoDD 6495.01 and DoDI 6495.02. Building on the solid foundation of existing response capabilities, the Department’s FY09 focus was on strengthening response capability, improving training, and reducing barriers to reporting sexual assault.

A discussion of the Department’s diverse and innovative response efforts follows in the sections below. These efforts include response capabilities for victim care, response standardization, responder training, and response outreach and collaboration.

1. Response Capabilities for Victim Care

The Department’s response to victims of sexual assault is delivered through three program functions, which are available to victims 24 hours a day, 7 days a week. First, each victim who reports a sexual assault is provided with the assistance of a SARC or VA who explains reporting options, services available, accession of those services, and resources available for assistance with navigating the military criminal justice process. They assist victims with care by providing safety and security, an opportunity for victims to ventilate and be validated, and expertise to predict and prepare victims for the road ahead. Second, victims have a choice in how the crime is reported through Restricted and Unrestricted Reporting options. This choice corresponds to their wishes for privacy and desired level of participation in the military criminal justice process. Third, a team of highly trained professionals is available to assist with medical care, counseling, spiritual support, and legal resources. Should the

All Military Services maintained a 24 hour/day, 7 day/week response capability for victims.

victim choose an Unrestricted Report, the Department policy requires that each reported allegation is criminally investigated to the full extent of the law.

All the Military Services work to sustain constant response capabilities for victims. For example, in FY09 the U.S. Navy (USN) worked to increase their number of SARCs and is moving toward the promising practice of civilianizing SARC billets. Similarly, the USMC has laid the foundation to hire 15 installation SARCs, which it modeled after a U.S. Air Force (USAF) practice. The U.S. Army (USA) has implemented Virtual SARC training through the use of CD-ROMs, workbooks, and teleconferences as an interim solution until newly appointed SARCs can receive mandatory in-person training. The USAF implemented a three-day SARC Contingency Course for SARCs identified to deploy to the U.S. Central Command (CENTCOM) area of responsibility (AOR). This course equips SARCs to complete the SAPR mission in a deployed environment that presents unique challenges and limiting factors.

2. Standardizing Response Capabilities

Before 2005, response efforts varied across the Military Services. To ensure all victims receive the same quality of care, the Department has developed policies that standardize response activities. Through work in the SAAC Policy and Accountability Subcommittee and the Training Subcommittee throughout FY09, SAPRO revised and made additions to response policy guidance for more consistent program implementation in the field.⁵⁰ The SAAC Policy and Training Subcommittees reviewed DoD SAPR policy, identified necessary modifications, and advised the SAAC of recommendations for modifications. These changes will be reflected when the policy is reissued in FY10 and are further discussed below.

Policy Changes to Standardize Response

A significant revision to DoDI 6495.02, Enclosure 8, made in FY08, addressed the previous inconsistencies among line of duty (LOD) processes for the Reserve Component, particularly in relation to Restricted Reporting.⁵¹ In compliance with the DoD-directed policy modifications, each Military Service updated its own policies so members of the Reserve Component making Restricted Reports could continue with confidential care following demobilization in FY09, with the exception of the USAF, whose final policy revisions are pending. DoD SAPR policy offers a victim confidential care and treatment via Restricted Reporting. However, in order for a member of the Reserve Component to continue receiving care under a Restricted Report after

⁵⁰ Per recommendations from the Government Accountability Office (GAO) (2008). *Report No. 08-924: Military Personnel: DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges*. Washington, DC: Author. Retrieved from <http://www.gao.gov/new.items/d08924.pdf>.

⁵¹ The Reserve Component includes the Army and Air National Guard and the Reserves of the Army, Marine Corps, Navy, and Air Force.

demobilization, a victim is required to obtain a LOD determination.⁵² Because command involvement is inherent in the LOD determination, this process conflicts with the covered communication offered by the Restricted Reporting option.

In October 2007, Congress directed changes to Article 120 of the UCMJ. In FY08, the Department updated the definition of sexual assault to address these changes. In FY09, the investigative definitions were drafted to update the new DoDI 6495.02, Enclosure 14, to identify the crimes addressed by SAPR policy and to revise case disposition categories. Definitions for cases categorized as “unsubstantiated/unfounded, insufficient evidence, victim recanted, and death” were drafted. Also, modifications to the definition for “final disposition” for input to the DoDI 6495.02 Glossary were drafted to include referral to court martial, non-judicial punishment, or administrative actions.⁵³ In addition, Enclosures 8 and 14 were drafted to include categories for subject desertion, victim’s death, and “commander declined action per Manual for Courts-Martial (MCM) Rules for Court Martial (RCM) 306(c)” as reasons why command action was either precluded or declined.⁵⁴ These standardized data definitions are intended to promote consistency in reporting of case dispositions.⁵⁵ These changes will be incorporated and published when the policy is reissued in FY10.

Revisions to DoDD 6495.01, Paragraphs 5.6 and 5.7, were also drafted to ensure JCS and combatant commands (COCOM) SAPR policy requirements are included in all planning and further direct commanders of COCOMs and other defense agencies to ensure infrastructure and logistical requirements are in place to support sexual assault response in theater and joint environments. These changes will be incorporated and published when the policy is reissued in FY10.

Regulations promulgated in accordance with Section 701 PL No.109-364, the NDAA for FY07 allowed all TRICARE beneficiaries to receive SAFEs from civilian providers as part of their coverage. In the past, the law limited this benefit to only Service members

⁵² A line of duty (LOD) determination is an administrative tool for determining a member’s duty status at the time an injury, illness, disability, or death is incurred. On the basis of the LOD determination, the member may be entitled to benefits administered by the Department, or exposed to liabilities. The key is the nexus between the injury, illness, disability, or death and the member’s duty status. In the case of sexual assault while mobilized, this determination is often straightforward and allows the member’s medical benefits to continue. However, the LOD determination itself is usually made by someone in the command structure who cannot maintain a Restricted Report under the DoD policy.

⁵³ Once reissued in FY10, Enclosure 14 will be the “Sexual Assault Offense – Investigative Definitions and Flow Chart.” The current Enclosure 14, DD Form 2911, “Forensic Medical Report: Sexual Assault Examination,” was deleted. When reissued, DoDI E3.2.7.3.1. will refer healthcare providers to use the most current addition of the form. Copies of DD Form 2911 can be obtained at <http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd2911.pdf>.

⁵⁴ U.S. Department of Defense (2008). DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*. Washington, DC: Author.

⁵⁵ Commander declined action is pursuant to MCM RCM 306(c)(1). Unlike “unfounded,” where the allegation does not satisfy all the elements of a sexual assault offense, and “Insufficient Evidence of Any Offense,” where the elements are facially met but the evidence just doesn’t have the amount or quality to justify action, the RCM 306(c)(1) reason is where the elements and sufficiency of the evidence are there, but command action is not warranted as a matter of discretion because of other factors RCM 306 advises commanders to consider -- mitigating or extenuating circumstances, etc.

and SAFEs conducted at military treatment facilities. This extension of coverage took effect on October 1, 2009, and fulfills the requirement of Section 701 of PL No.109-364, the NDAA for FY07.

The Department further recognizes that providing continuous and relevant training to all Service members at all levels of leadership is critical to ensuring a standardized reporting process, response, and offering victims quality care. "Professional Military Education and Leadership Development Training," "Pre-Command Training," "Flag and General Officers/Senior Executive Service," "Civilians Who Supervise Service Members," "Accessions Training," "Annual Training," "Pre-Deployment Training" and "Post-Deployment Reintegration Training" were drafted for either modification or inclusion in the DoDI 6495.02, Enclosure 3, to address the specific training needs of each of the identified groups.⁵⁶ Policy changes will address expansion of training topics, specific times for when the training is to occur, and response and prevention resources available to the groups. These changes will be incorporated and published when the policy is reissued in FY10.

Additional training requirements in DoDI 6495.02, Enclosure 6, were drafted to include "Law Enforcement," "Military Criminal Investigative Organizations," and "Judge Advocates." The training additions seek to improve working relationships among all responders, as well as provide responders with additional information to improve their ability to work with victims, recover evidence, and understand sex offender behavior. An additional requirement was drafted to identify that the Military Services are responsible for addressing SAPR training for military judges. These changes will be incorporated and published when the policy is reissued in FY10.

Finally, DoDI 6495.02, Enclosure 3, of the Department's policy was drafted to reflect how SARCs and designated Service personnel maintain and capture reports of sexual assault in DSAID or their Military Service's supporting information system and will address interface requirements. These changes will be incorporated and published when the policy is reissued in FY10.

In line with these changes, the Military Services worked toward standardizing response capabilities in their SAPR policies. For example, after an internal review of their SAPR program by the Air Force IG, a checklist on case investigations was incorporated in Air Force Instruction (AFI) 36-6001, *Sexual Assault Prevention and Response Program*.

Tracking Victim Reports and Service Referrals

Each Military Service is required to share its Restricted and Unrestricted Reports, as well as victim service referral information, with SAPRO each year. Report and referral information offers the Department an initial indicator of the sexual assault reporting climate and allows the opportunity to examine and monitor the relationship between the two.

⁵⁶ U.S. Department of Defense (2008). DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*. Washington, DC: Author. E3.

The Military Service MCIOs (Army Criminal Investigations Command [USACID], Naval Criminal Investigative Service [NCIS], AFOSI) collect Unrestricted Reports. SARC's usually collect Restricted Reports and forward them to their Military Service's SAPR program.⁵⁷

Since 2005, the Department and Military Services have manually aggregated reports for reporting in the *Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies*, this annual report, and other official communications. Given the need for greater visibility and reporting trend analysis, the Department requests quarterly reports on Restricted and Unrestricted Reports from the Services to more effectively monitor reporting trends and ensure a climate of confidence.

More recently, the Department initiated the creation of DSAID. DSAID will satisfy Section 563 of PL No. 110-417, the NDAA for FY09, in which Congress legislated that the Department develop and implement a centralized, case-level database for the collection and maintenance of information regarding sexual assaults that involve a member of the Armed Forces. In FY09, the Department coordinated across the Military Services and National Guard to make significant progress on the design of DSAID. Once operational, the database will offer a Military Service-wide automated and standardized method for reporting data. DSAID is further discussed in the *Oversight* section of this report.

As with reporting, ensuring that each and every sexual assault victim has the opportunity to access available resources through service referrals is critical to aiding victims along the road to recovery. Informing victims of available resources and assisting victims in accessing these resources are standard components of the SAPR program. SARC's and VAs are responsible for ensuring that victims have access to medical treatment, counseling, and legal advice. Referrals for these services are made to both military and civilian sources. A referral for service can happen at any time while the victim is receiving assistance from a SARC or VA, and may happen several times throughout the military criminal justice process.

In FY09, there were 5,570 service referrals for military and civilian victims who reported a sexual assault to the Department, a substantial increase over the 2,660 referrals made to all victims in FY08 and the 583 referrals made to military victims in FY07. SARC's and VAs made an average of 1.8 service referrals to victims making Unrestricted Reports, which is an increase from the 0.7 average service referrals for care made in FY08. For victims making Restricted Reports, SARC's and VAs provided an average of 1.4 service referrals, which is an increase from the 1.0 average service referrals made in FY08, and the 0.5 average service referrals made in FY07. The Military Services varied in the average number of referrals they reported making per victim:

⁵⁷ The SARC is the primary collector of data on Restricted Reports. However, under certain circumstances a Victim Advocate, a SARC's administrator, or a higher level manager acting on behalf of the SARC may collect Restricted Report data.

- The USA provided an average of 0.4 referrals per victim making an Unrestricted Report, and 0.6 referrals per victim making a Restricted Report.
- The USMC provided an average of 1.6 referrals per victim making an Unrestricted Report, and 1.2 referrals per victim making a Restricted Report.
- The USN provided an average of 4.3 referrals per victim making an Unrestricted Report, and 2.8 referrals per victim making a Restricted Report.
- The USAF provided an average of 5.8 referrals per victim making an Unrestricted Report, and 1.4 referrals per victim making a Restricted Report.

The Department believes that victims should be informed of every resource available to them, and will continue to engage in activities that will increase the military community's awareness of these services in FY10.

3. Responder Training

The Department recognizes that providing continuous and relevant training to all responders is critical to offering quality care to victims. In response to GAO's findings, the SAAC Training Subcommittee conducted PAT visits in FY09 to review troop and commander training across the Military Services.⁵⁸ The Department's PAT visits found that the Military Services had implemented training programs as required by DoD policy. However, they also identified inconsistencies and deficiencies in the training programs. Further information on PAT visits can be found in the *Oversight* section of this report.

The Military Services sustained their level of training and curriculum for first responders, commanders, and troops.

The Department's PAT visits found that the Military Services had implemented training programs as required by DoD policy. However, they also identified inconsistencies and deficiencies in the training programs. Further information on PAT visits can be found in the *Oversight* section of this report.



Figure 10: Students participate in interactive practical exercises during the third annual SAPR certification workshop held at Fort McCoy, USA.

In response to the findings, the SAAC Training Subcommittee began work to standardize and institutionalize training for each responder role, leveraging promising practices from both the military and civilian communities and conducting a comparative analysis of DoD and Military Service training policies. Extensive policy updates will be made to training sections of DoDI 6495.02, Enclosures 3 and 6 when the policy is reissued, which are further discussed in the *Policy Changes to Standardize Response* section of this report.

In FY09, all four Military Services aggressively continued to institute SAPR training initiatives for all first responders. Outstanding examples exist of this collective focus on providing high-quality and comprehensive

⁵⁸ Government Accountability Office (2008). *Report No. 08-924: Military Personnel: DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges.* Washington, DC: Author. Retrieved from <http://www.gao.gov/new.items/d08924.pdf>.

training, which are highlighted in this section. For instance, Army installation SAPR personnel trained 4,187 newly appointed Unit Victim Advocates and Deployable Sexual Assault Response Coordinators (DSARC). In addition, Army SAPR Program Managers trained 90 DSARCs and 290 Unit Victim Advocates in the Iraqi Theater of Operation. Further, the USN provided SAPR training to 11,925 healthcare personnel, 80 forensic examiners, and 44 medical providers on the proper procedures required to perform a SAFE. The USMC's JA Division was actively engaged in improving the quality of sexual assault litigation training for its personnel and provided specialized instruction to 137 staff JAs. Finally, the USAF delivered specialized sexual assault-oriented courses to 1,201 AFOSI agents.

Training Policy for Responders

As discussed in the *Policy Changes to Standardize Response* section of this report, the SAAC Training Subcommittee began its review of training requirements for all DoD responders in FY09, to include first responders, commanders, and joint and deployed personnel. The remaining responder training requirements for healthcare personnel, chaplains, VWAP, SARCs, and VAs will be reviewed, and changes will be recommended, as needed, in training revisions for FY10.

The SAAC Training Subcommittee found that all Military Services were in compliance with training policy.

Through PAT visits, the Department found that while the Military Services were in compliance with DoD training policy, considerable variation existed in the status of SAPR personnel (military, civilian, or contractor), the training provided, the requirement for collateral duties, and the screening and assignment of military personnel to VA duty. These PAT findings were provided to the DTF-SAMS in FY09. The Department will consider the Task Force's recommendations on SARC and VA selection and staffing outlined in its December 2009 report.

In addition, FY08 PAT visits found that SARC personnel required additional training to manage interactions with the military criminal justice process. In the past, SARCs and VAs have been compelled to testify about private conversations with victims, which may erode the viability and credibility of the Restricted Reporting option. Consequently, the Department will examine whether it is possible to provide greater protection under military law to victims' conversations with SARCs and VAs. Such privacy enhancements may require the professionalization of SARCs and VAs across the Department and the Military Services. Again, the Department will consider the DTF-SAMS recommendations on protected communications between SAPR personnel and victims.

Training revisions will also be drawn from professional standards in civilian agencies. Specifically, the Medical Working Group of the SAAC Training Subcommittee will convene in FY10 to further refine the training standards for healthcare providers delivering services to victims of sexual assault. At that time, the Department will also review all future training and overall policy revisions in conjunction with DTF-SAMS and

GAO findings and recommendations. Once complete, training for all responders will be standardized across the Military Services.

Secretary of Defense SAPR Program Priorities

As mentioned in the *FY09 SAPR Program Highlights* section of this report, in October 2008 the Secretary of Defense directed the Department to conduct a comprehensive review of four areas. These areas have become SAPR program priorities for response efforts. In FY09, the Secretaries of the Military Departments briefed the Secretary of Defense on these areas and other components of their SAPR programs. The following sections describe the action taken in each of the four priorities.

Reducing Reporting Stigma

Despite the SAPR policy changes, education, and training instituted during the past five years, a DoD-wide survey indicated that most Service members are reluctant to report being the victim of a sexual assault.⁵⁹ In reviewing this matter, the Department found several persistent barriers to reporting. The first is that the SAPR program is relatively new to military culture. As with other new programs, Service members may be reluctant to report until the program proves itself to be permanent, trustworthy, and effective. Second is the fear of not being believed, shame over being victimized, concern about privacy, and concern that nothing will be done. Third, reporting one's own victimization and seeking help are mistakenly believed to go against the strength, honor, and courage inherent in military values. Finally, reporting sexual assault is perceived to have lasting career and security clearance repercussions.

To overcome the above factors, the Department has addressed stigma in training at all levels of the military, from accession, pre-command, post-deployment integration, and mandatory annual refresher training to informal and ad-hoc training resources. Also, the Restricted Reporting option was enacted to address the victim fears and privacy concerns noted above.

The Military Services addressed reporting stigma through training and senior leadership outreach.

Approximately 700 victims report a sexual assault each year using this option.⁶⁰ DoD outreach initiatives have also emphasized that reporting sexual assault and seeking care is not just acceptable in the military; it is desirable. For example, in FY09 at the USMA at West Point, the Chief of the Community Mental Health relocated his office to USMA's Center for Personal Development and meets with each new cadet one on one to familiarize him or her with available services. This individualized approach at a common area where numerous cadet services are offered may lead more USMA cadets to seek assistance if the need arises.

In FY09, the Department took the following actions to reduce reporting stigma:

⁵⁹ U.S. Department of Defense (2008). *2006 Workplace and Gender Relations Survey of Active Duty Members*. Washington, DC: Defense Manpower Data Center. Retrieved from http://www.sapr.mil/contents/references/WGRA_OverviewReport.pdf.

⁶⁰ This number is based on Military Service reporting statistics from FY05 to FY09.

- Identified opportunities for DoD leadership to publicly support the SAPR program and encourage reporting⁶¹
- Expanded the Department's social marketing campaign, PSAs, and other forms of communication to encourage reporting and highlight the Unrestricted and Restricted Reporting options, and disseminated these messages through the Armed Forces Networks, Pentagon Channel, DoD websites, and print media. In addition, Military Service leadership communicated the topic of reporting stigma to Flag Officers and Senior Enlisted during the FY09 SAPR Leadership Summits
- Reviewed training programs and policy to ensure investigators and attorneys are trained in interviewing methods that reduce re-victimization and recommended revisions as appropriate
- Clarified Question 21 on the application for security clearances to ensure that reporting a sexual assault, in and of itself, would not prevent the issuance of a security clearance⁶²
- Issued a DTM on July 2, 2009, called "Revising Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Military Personnel" to reduce stigma through notification standards parallel to those for reporting any other health issue^{63 64}
- Issued a memorandum on November 20, 2009, that was signed by the USDs for Intelligence and P&R, reaffirming the Department's strong endorsement that personnel should "seek professional help to address all health-related concerns, either mental or physical" and emphasizing that a victim's use of mental health counseling following a crime, in and of itself, is not a reason to revoke or deny a security clearance.⁶⁵

Ensuring Sufficient Commander Training

Numerous actions were taken to improve commander training and accountability in FY09. First, the USD P&R worked with the Secretary of Defense to identify opportunities for the Secretary, Military Service Secretaries, Chairman of the JCS, and

⁶¹ See the Military Service SAPR Leadership Summits, Secretary of Defense's Sexual Assault Awareness Month Memorandum, and Admiral Mullen's public service announcement in the Prevention section.

⁶² Question 21 on the application for security clearances was revised in April 2008 to eliminate the requirement for reporting the use of mental health counseling on security clearance applications under certain circumstances.

⁶³ DTM 09-006, "Revising Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Military Personnel," can be found in Appendix, Tab E.

⁶⁴ The DTM provides more specific standards for healthcare providers regarding when to notify commanders of the involvement of military members with mental health services; provides more explicit balance between patient confidentiality rights and the commander's right to know for operation and risk management decisions; and reduces stigma through notification standards parallel to those for reporting any other health issue.

⁶⁵ Memorandum for Secretaries of the Military Services entitled "Mental Health Counseling and Treatment and Security Clearances" can be found in Appendix, Tab F. In addition, the memorandum reminded adjudicators that "no negative inference concerning eligibility for access to classified information may be made solely on the basis of mental health counseling" and that they must adhere to uniform national adjudicative guidelines when evaluating information concerning mental health counseling.

other senior Military Service leaders to communicate the expectation to commanders in the field that they will actively support the DoD SAPR program. Support of the SAPR program includes fostering a climate of respect and non-tolerance of sexual assault among all members and working to reduce the stigma associated with reporting a sexual assault. Second, the Military Services were tasked to work with their respective IGs to identify key components of the Military Service's SAPR program for assessment. Multiple indicators of evidence of a commander's program support were to be identified, including unit climate and unit training on SAPR. Under DoD policy, commanders are responsible for ensuring annual training on sexual assault prevention and awareness is provided at all levels, for all ranks, and as needed throughout the mission cycle (e.g., pre-deployment and safety stand-downs). Third, the Department conducted a review of commander training to ensure it was appropriate and current, and recommended revisions accordingly. Topics for commander training will include sources of DoD and Military Service-specific sexual assault guidance, the Restricted Reporting option, victim rights under the VWAP, victimology, information on sex offenders, information on victim recantations and false reports, deployment issues, responsibilities under the UCMJ, and General Courts-Martial Convening Authority guidelines for use in review of sexual assault cases.⁶⁶ Future training will be structured to include concrete examples of supportive behavior to the program and the chance to practice skills or answer questions.

The Military Services have also worked to ensure SAPR commander training is instituted. For example the USA embedded SAPR training in professional military education at training institutions, including specific training support packages for pre-commissioning, junior leaders, drill sergeants, and senior leaders. Also, based on the findings of a Secretary of the Navy-directed review, the USMC began developing a distance-learning course for small unit leaders, recognizing that one third of Marines are in transit at any given time.

Ensuring Investigator Training and Resourcing

In early FY09, the Military Services jointly reviewed MCIO training and recommended to the Department that training standards be revised to ensure training requirements reflect the needs of law enforcement and military criminal investigators responsible for addressing issues and procedures applicable to sexual assault cases.⁶⁷

In FY09, the Military Services developed and implemented actions to ensure investigator training and resourcing.

⁶⁶ Victimology is the scientific study of victimization, including the relationships between the victims and the offenders, the interactions between victims and the criminal justice system- that is, the police and courts, and corrections officials- and the connections between victims and other societal groups and institutions, such as the media, businesses, and social movements, according to: Karmen, A. (1990). *Crime Victims: An Introduction to Victimology*. Belmont, CA: Wadsworth. 3.

⁶⁷ U.S. Department of Defense (2008). DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*. Washington, DC: Author. E6.3.4. and E6.3.5.

The Military Service MCIOs augmented investigative manpower to support the investigation of Unrestricted Reports. Each of the Military Service Secretaries developed a plan for applying the investigative manpower and ensuring these assets remain available in locations where they are most needed. The USACID added authorizations for 30 sexual assault investigators at installations around the country. Investigators received advanced training in interviewing and investigative methods that establish productive working relationships with victims and minimize chances of re-victimization. The USACID also added 7 Highly Qualified Expert positions as resources for investigation, policy development, training, and prosecution of sexual assault. The USA is also funding specialized training for prosecutors and mobile training teams to train all USACID battalions on current sexual assault investigation methods. The USN developed a Memorandum of Understanding (MOU) between the AFOSI, USACID, and NCIS to provide guidance, investigative authority, and clarified responsibilities on joint bases. The USAF added 23 AFOSI agents, and one full-time trainer, dedicated and trained to do sexual assault investigations.

The Military Services targeted initiatives to provide specialized training to investigators.

Given the complexity of sexual assault cases, fully accredited investigators need an opportunity to improve their skills or refresh their knowledge base in sexual assault investigation. The Department has developed a plan for a centralized sustainment course for sexual assault investigations. The course is expected to provide hands-on, interactive, advanced instruction on sexual assault investigation and related topics. Curriculum development is expected to commence in FY10.

Ensuring Trial Counsel Training

In early FY09, the Military Services jointly reviewed trial counsel training. Training standards will be revised to ensure training requirements reflect the needs of JAs who are responsible for addressing issues and procedures applicable to sexual assault cases.⁶⁸

In addition, the Military Services recommended that the Department fund a specialized training program for JAs involved in sexual assault cases that rely on the use of joint resources for OTJAG communities and expert instructors from the civilian and military communities. SAPRO does not have oversight of legal processes. However, SAPRO secured funding to assist the Military Services with training development.

The Department provided funds to the Military Services in June 2009 to initiate this effort. As the lead for distribution of the funding, SAPRO offered financial support to each Military Service for training support and the USAF retained a portion to execute joint training. After reviewing feasible joint training options, the Military Services contracted for online training for trial counsel was the most practical solution and would maximize the opportunity to practice and gain skills and experience in a risk-free

⁶⁸ U.S. Department of Defense (2008). DoD Instruction 6495.02. *Sexual Assault Prevention and Response Procedures*. Washington, DC: Author. Enclosure 6.3.6.

environment. Together, the Military Services identified a 22-module training program that will provide trial counsel with the information and practice necessary to prepare to prosecute sexual assault cases.

The Department has a contract to develop the *Sexual Assault Trial Counsel Electronic Training System* to provide e-learning and simulated training for each of the 22 modules. This system will support and enhance the current DoD and JA sexual assault training and response objectives.

Aside from the joint training effort, the Military Services have utilized the trial counsel funding in several ways. The Navy Judge Advocate General (JAG) partnered with other Military Service JAs to develop an interactive training module on sexual assault litigation. The USMC has written a proposal to develop a Trial Counsel Assistance Program at the JA Division, Military Law Branch to enhance overall litigation support to the field. The USAF hosted sexual assault training for military judges at the Annual Interservice Military Judges Seminar. The USAF also sent JAs, paralegals, and VWAP personnel to training at the 35th Annual North American Victim Assistance Conference, the Enforcing Victims' Rights Conference, the Advanced Domestic Violence and Sexual Assault course, and the Army VWAP training course. The USA added 15 special prosecutors at major Army installations to focus exclusively on sexual assault cases, similar to civilian Special Victim Units (SVU).

The Department plans to provide additional training funds in FY10 to the Services for trial counsel training sustainment.

4. Response Outreach and Collaboration

Training and Educational Products

The Department produced or contributed to production of valuable training and educational materials for responders to sexual assault in FY09.

In FY08, SAPRO concluded a collaborative training project with the Military Services, the National Guard, PCAR, and DOJ's OVC, entitled *Strengthening Military-Civilian Community Partnerships to Respond to Sexual Assault*. The project consisted of an interactive two-day training curriculum that helps civilian agencies assist military victims of sexual assault and their families. This co-sponsored training program was an effective way for SAPRO to share knowledge on military systems, protocols, and culture to improve services to military sexual assault victims. It also helped build SAPRO's awareness of the perspectives and initiatives of its community partners. A facilitator's guide and participant's manual for this project were finalized in FY09.⁶⁹ The Department, PCAR,

The Department leveraged promising practices of civilian agencies in assisting military victims of sexual assault.

⁶⁹ Materials are available at <http://www.sapr.mil/HomePage.aspx?Topic=Training&PageName=Resources.htm>.

and OVC are currently researching the possibility of a second phase of this project. Pending OVC funding, the effort would involve partnering SARCs and JAs with local civilian rape crisis center supervisors to perform training throughout the country using the new curriculum.

Other response efforts will include working with RAINN in order to improve care to military sexual assault victims. In FY08, SAPRO explored options that would provide victims with enhanced resources. In doing so, it consulted with RAINN, the nation's largest anti-sexual assault organization. RAINN hosts the only secure, live, web-based National Sexual Assault Online Hotline with anonymous chat capability, which enables victims of sexual assault to reach out to receive help via an instant-messaging type format. RAINN also operates the National Sexual Assault Hotline, which provides help to victims telephonically on a toll-free number. In its collaboration with SAPRO, RAINN will enhance its telephonic and on-line hotlines to provide additional avenues for military members that will provide victims with crisis support and information about reporting securely and anonymously, and will also connect victims with a local SARC.

SAPRO prepared and disseminated a *Command Resource Guide* during SAAM that advised commanders, SARCs, and VAs on how to communicate a balanced message about sexual assault in their units. The guide was designed to be a centralized resource for SAPR information. In terms of sexual assault response, the guide provides commanders step-by-step instructions on what to do if someone they supervise has been sexually assaulted, from ensuring the victim is at a safe location to making certain that the victim knows his or her rights in the military criminal justice process. As part of the guide, a *Commander's Checklist* provides specific, detailed steps to follow as a victim's commander and as a subject's commander. The guide also provides general information to SARCs, VAs, and MCIOs on what assistance to provide victims and helpful tips for working with victims and each other during the investigative process.⁷⁰

In its 2008 review of the SAPR program, the GAO recommended that the Department address factors that prevent or discourage Service members from accessing mental health services following a sexual assault.⁷¹ Although SAPRO does not have oversight of mental health services, the Office collaborated with the Defense Center of Excellence (DCoE) for Psychological Health and Traumatic Brain Injury and the OASD (HA) throughout the year to support the development of the "Real Warriors" campaign. The campaign is a multimedia public education effort designed to combat the stigma associated with seeking psychological healthcare and to encourage Service members, veterans, and their families to use the psychological health resources available to them. Through the campaign, the Department is spreading the message that reaching out is a sign of strength.⁷² Also, the Department chartered an HA Sexual Assault Task Force to

⁷⁰ *Command Resource Guide* is available at http://www.sapr.mil/Contents/SAAM/SAPRO_SAAm_09_Resource_Guide/pdf.

⁷¹ GAO (2008). *Report No. 08-924: Military Personnel: DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges*. Washington, DC: Author. Retrieved from <http://www.gao.gov/new.items/d08924.pdf>.

⁷² Campaign information is available at <http://www.dcoe.health.mil/ForWarriors/RealWarriors/Campaign.aspx>.

address the GAO's recommendation that the Department evaluate and develop an action plan to address factors that may prevent or discourage Service members from seeking mental health services. In March 2009, the Task Force released a report that included a number of action-oriented recommendations intended to improve the availability of mental healthcare.

In addition, SAPRO staff collaborated with the Department's HA Office, IG's Office, Office of the General Counsel (OGC), and the OSD Legal Policy Office to ensure a unified approach in the Department's outreach to sexual assault victims and responders. One outcome of the Department's internal collaboration was the creation of a brochure, *Victims' Rights in Action*, for use by victims and SAPR professionals as a guide to victims' rights within the military criminal justice process.⁷³

2009 SAAM and the Social Marketing Campaign

During SAAM 2009, as mentioned in the *Prevention* section of this report, SAPRO created response outreach products linked to the military-wide social marketing campaign, "My Strength Is for Defending: Preventing Sexual Assault Is Part of My Duty." Response posters with images of men and women of the military were created with themes such as "Let's report it" and "I'm glad you checked out your options."⁷⁴ The purpose of the posters was to demonstrate concepts in bystander intervention and reporting options while modeling supportive behavior for victims of sexual assault. Discussion Guides were disseminated with the posters to assist SARCs and VAs in educating men and women on how to report a sexual assault and support fellow Service members who have been victimized. Open dialogue highlighted the responsibility of everyone in a unit to intervene and report a sexual assault, as well as to care for a victim of sexual assault.

The Military Services highlighted bystander intervention concepts and reporting options during SAAM.

Response-Related Conferences and Testimony

SAPRO staff members provided subject matter expertise to other civilian and military organizations by participating in several response and professional conferences throughout FY09, including:

- DVA Military Sexual Trauma Coordinator Training (October 2008 and August 2009)
- National Institutes of Health/Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury Conference on Trauma Spectrum Disorders: The Role of Gender, Race, and Other Socioeconomic Factors (October 2008)
- Naval Justice School Basic Lawyer Course (November 2008)

⁷³ The *Victims' Rights in Action* brochure offers an explanation of the military criminal justice process, including the Department's definition of victims and witness and a Victim's Bill of Rights. It can be found in Appendix, Tab G.

⁷⁴ The DoD social marketing campaign posters can be found in Appendix, Tab D.

- National Institute on the Prosecution of Sexual Violence (December 2008)
- American Academy of Forensic Sciences Annual Meeting (February 2009)
- AFOSI Region 8 Sexual Assault Investigations Course (March 2009)
- Congressional Reception on SAPR initiatives occurring across the Armed Services (April 2009)
- U.S. Air Force Base, Air Mobility Command, Charleston, South Carolina, along with the Naval Weapons Station and the Tri-County Joint Community: Keynote speech for SAAM event (April 2009)
- USA ROTC Program SAPR Training at Morgan State University, Baltimore, MD (April 2009)
- Sexual Assault Nurse Examiner Training, Naval Medical Center, Bethesda, MD (May 2009)
- DOJ, U.S. Attorney's Office, Victim Witness Program Issues Seminar (May 2009)
- National Center for Victims of Crime 2009 National Conference (June 2009)
- U.S. Department of Veterans Affairs Annual Military Sexual Trauma Conference (August 2009)
- National Sexual Assault Conference (September 2009)
- 14th International Conference on Violence, Abuse, and Trauma (September 2009).

In January 2009, the Department provided testimony on victim care and advocacy at a House Armed Services Committee (HASC), Subcommittee on Military Personnel hearing. The purpose of this testimony was to explain the reporting options available to Service members, the victim care program that was created, how the Department tracks victim care, and the challenges the Department faces in caring for military sexual assault victims. The challenges faced in sexual assault response included state mandatory reporting laws, jurisdictional challenges, LOD limitations, and investigation and prosecution training and experience issues. The SAPRO Director highlighted that the Department and Congress must partner to refine and expand policy to better serve Service member victims of sexual assault.

Additional Response Outreach Activities

In October 2009, SAPRO hosted a response webinar, attended by SARCs and VAs, focused on how to facilitate an effective Sexual Assault Response Team (SART).⁷⁵ The session was facilitated by representatives from End Violence Against Women International.

⁷⁵ A SART is composed of professionals involved in immediate response to disclosures of sexual assault. A core SART commonly includes SARCs, VAs, health care providers, and law enforcement representatives. Prosecutors and forensic scientists also are often involved, but more as consultants than first responders.



Figure 11: Each Military Service was recognized at the Exceptional Sexual Assault Response Coordinators Awards program in April 2009.

In FY09, SAPRO created a site on DKO as an alternate means to disseminate program resources, including the 2009 social marketing campaign materials. SAPRO also hosted discussion forums on DKO for SAPR program professionals to share response tips, techniques, and best practices with other SAPR personnel around the world. SAPRO staff also participated as a guest “blogger” on the OASD HA Military Health System blog and authored an article on sexual assault response for military healthcare providers.⁷⁶ Additionally, in FY09, the Department continued to enhance its social marketing efforts by creating a Facebook page, entitled “Department of Defense Sexual Assault Prevention and Response Office.”

As previously mentioned, the *SAPR Source* newsletter provides the latest information on SAPR programs and initiatives within the military. During FY09, articles on response included *Fostering a Culture of Support for Psychological Health*, *Assault Victims Find Empowerment in Restricted Reporting*, and spotlight articles on Military Service SARCs and VAs. This outreach vehicle is an effective way to highlight top response stories and initiatives from Department programs.

Each Military Service developed a SAPR website, which links directly from SAPRO’s website, to provide easily accessible information to military victims of sexual assault.

The SAPRO website, www.sapr.mil, provides a wide range of information for military victims of sexual assault, including step-by-step instructions on what to do if you are a sexual assault victim, a friend of a sexual assault victim, or the commander of a sexual assault victim.

Acknowledging the Dedication of SARCs

During SAAM 2009, five SARCs from the Military Services were honored during the first Exceptional Sexual Assault Response Coordinators Awards program, which was hosted by SAPRO at the Pentagon. The ceremony recognized Military Service SARCs whose work demonstrated outstanding achievement in support of their fellow Service members. The SARC is often the first person a victim contacts following a sexual assault. The knowledge, dedication, and commitment of SARCs form the cornerstone of the Department’s response strategy. By publicizing the exceptional work of SARCs, the Department hopes to not only honor these professionals but also call attention to the excellent services available to victims of sexual assault.

⁷⁶ The article is available at <http://www.health.mil/mhsblog/Article.aspx?ID=529>.

C. OVERSIGHT

As articulated in DoDI 6495.02, SAPRO is the single point of responsibility for sexual assault policy matters, except for the legal processes provided under the UCMJ and criminal investigative matters.⁷⁷ As part of its policy responsibilities, SAPRO engages in several annual internal and external oversight activities. The Department defines oversight as monitoring, analyzing, and reporting on policies, processes, and performance to improve SAPR capabilities throughout the Department.⁷⁸

A discussion of the Department's oversight activities follows in the sections below. These activities include the SAAC, the *Oversight Framework for SAPR* and strategic planning documents, oversight activities, reporting, external SAPR program reviews, congressional hearings, and oversight outreach and collaboration.

1. Sexual Assault Advisory Council

In late 2008, the SAAC, one of the Department's SAPR oversight bodies, was briefed on the results of the PAT visits to the U.S. Pacific Command (PACOM), as well as on the *Sexual Assault Prevention Strategy*. The SAAC also discussed how to extend the SAPR program to DoD civilian employees and U.S. civilian contractors deployed to combat areas. Council members also heard an introductory briefing on the Secretary of Defense's four SAPR program priorities. Finally, the SAAC reviewed the GAO's recommendations for the program and was briefed on the development of the Department's new centralized case-level database. SAAC activities are further discussed in the *Sexual Assault Prevention and Response in the Department of Defense* and *Response* sections of this report.

The Military Services continued to participate in working groups with each SAAC subcommittee.

The Military Services have also engaged in oversight activities through the creation of Military Service-specific oversight bodies. For example, in addition to contributing to the DoD SAAC, the Secretary of the Navy, with the CNO, Commandant of the USMC, and Department of the Navy SAPRO, convened the first Department of the Navy SAAC to review SAPR activities. Also, personnel from the USN established a Cross-Functional Team to meet weekly with key stakeholders of the SAPR program to ensure all aspects of the program are being appropriately addressed.

⁷⁷ U.S. Department of Defense (2008). DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*. Washington, DC: Author.

⁷⁸ U.S. Department of Defense (2009). *DoD-Wide Oversight Framework*. Washington, DC: Author.

2. Oversight Framework for Sexual Assault Prevention and Response and Strategic Planning Documents

In response to a GAO recommendation, the Department accomplished the formal development of the *Oversight Framework for SAPR*, which was launched in FY08 and continued to be developed in FY09.⁷⁹ As part of the development process, SAPR community members, including representatives from the Military Services, the Reserve Component, the U.S. Coast Guard, and other DoD components, including the OGC, Office of the Inspector General (OIG), and HA, were consulted to identify requirements for the new DoD framework.

Based on prior internal and external reviews of the program, SAPRO and SAPR community members identified several challenges faced by the Department's previous approach to oversight including an unclear definition of oversight and what it entails; inconsistent analysis and reporting on performance across the Department; continuing misperception and inquiry about the progress of SAPR programming by external sources; and media scrutiny related to high-profile cases.

The resulting product, the *Oversight Framework for SAPR*, is the Department's stated vision for the SAPR program. It remedies the above challenges and creates a standardized approach for monitoring, analyzing, and reporting on the SAPR program through several activities. First, it develops a SAPR oversight program that enables the Department to consistently and effectively gauge and advise on how well policy is executed. Second, it standardizes oversight monitoring, evaluation, and reporting procedures across the Department. Third, it defines oversight activities that are measurable, incorporates lessons learned and leading practices, and aligns with the achievement of program goals. Lastly, it gains key stakeholder support, input, and buy-in for development and roll-out of the new oversight program.

The *Oversight Framework* lays out how the Department will track progress and does not stand alone. Two other documents, the *DoD-Wide SAPR Strategic Plan* and the *SAPRO Strategic Plan*, lay out what activities will be implemented and thus tracked under the framework.

The *DoD-Wide SAPR Strategic Plan* for FY10–15 contains five objectives for achieving the Department's vision. The first objective is to

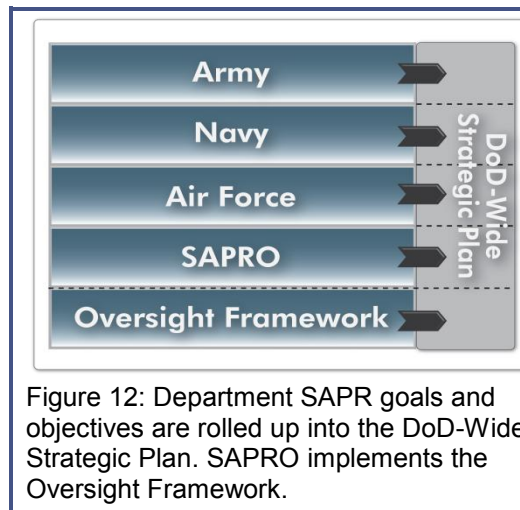


Figure 12: Department SAPR goals and objectives are rolled up into the DoD-Wide Strategic Plan. SAPRO implements the Oversight Framework.

The Department has aligned its strategic objectives to create the “DoD-Wide SAPR Strategic Plan.”

⁷⁹ Government Accountability Office (2008). *Report No. 08-924: Military Personnel: DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges*. Washington, DC: Author. Retrieved from <http://www.gao.gov/new.items/d08924.pdf>.

institutionalize prevention strategies in the military community. The Department seeks to prevent sexual assaults through institutionalized efforts that influence the knowledge, skills, and behaviors of military members to reduce sexual assaults in the DoD community. The second objective is to increase the climate of victim confidence associated with reporting. The priority of reporting focuses on increasing the number and percentage of sexual assaults reported, with additional emphasis on increasing the proportion of Unrestricted Reporting. The third objective is to improve sexual assault response through programs, policies, and activities that advance victim care and enhance the military criminal justice process. The fourth objective is to improve system accountability. System accountability is achieved through data collection, analysis, and reporting of case outcomes, as well as review of ongoing SAPR efforts to ensure the desired programmatic solutions are being attained. The fifth objective is to improve knowledge and understanding of sexual assault prevention and response, which results from military leadership and other stakeholders communicating the benefits of SAPR programs, conducting and disseminating research specific to SAPR in the military environment, and employing uniform definitions and reporting processes across the Military Services.

The second document is the expanded and revised *SAPRO Strategic Plan*, which builds off of DoD-wide SAPR priorities articulated in the *DoD-Wide Strategic Plan* by detailing the goals, objectives, and actions for SAPRO during the next five years. The *SAPRO Strategic Plan* is a detailed account of SAPRO strategies and tactics needed to develop and track the following goals. The first goal is to develop, maintain, and disseminate policies, programs, and standards for SAPR, conducting oversight of SAPR policies and programs to ensure compliance with DoD policy and consistency in the quality and effectiveness of the programs. The second goal is to establish and maintain a rigorous data collection process and research agenda. The third goal is to engage in activities that enhance the quality of care and support provided to victims, as well as to promote prevention and reporting of sexual assault within a Total Force. The fourth goal is to ensure all stakeholders understand that the Department is dedicated to eliminating sexual assault within its ranks and is executing ambitious programs to prevent this crime, respond to victims, and ensure system accountability. The fifth goal is to achieve consistently superior results that maintain a world-class, fully resourced SAPR program and maximize stakeholder value, integrity, and credibility by ensuring the right people are in place to carry out the mission.

3. Oversight Activities

Policy Assistance Team Visits

As a function of the Department's oversight mission, PAT visits were implemented in FY08 to determine how well SAPR policy and programs have been implemented, identify opportunities to refine DoD policy, and provide immediate programmatic feedback to stakeholders in the field. PAT teams comprised SAPRO SMEs and Military Service representatives.

Based in part on findings from the FY08 PAT visits, as well as a GAO recommendation, the FY09 PAT visits focused specifically on the review of Military Service accession and commander training.⁸⁰ In last year's review, the Department found that:

*SAPR program awareness training does not appear to be adequately retained by military personnel. PATs found that many junior enlisted could not describe the concepts surrounding reporting options or resources. In addition, not all responders had received the required program training and additional specialized training. Policy review of all training requirements is needed because training was only minimally effective in educating the troops.*⁸¹

In FY09, a team from the SAAC Training Subcommittee comprising SMEs from SAPRO and representatives from the Military Services visited eight sites. The installations and bases included every Military Service training, as well as an Army Reserve Command and Army NGB Recruit Sustainment Program.

Summaries of the visit findings for FY09 are in the sections below.

Commander Training

The goals of the FY09 PAT visits were to determine how well Military Services provided training in accordance with SAPR policy requirements for commander training, assess the quality of training, identify best practices and opportunities to refine DoD policy, and provide immediate feedback to stakeholders.⁸² To determine this, PATs met with commanders, instructors, and SARCs at each location where training was reviewed.

Overall, the observed training met the requirements of DoDI 6495.02, and PATs found no problems with the training as implemented. Each Military Service had fully institutionalized SAPR into its commander training and each employed well-qualified, knowledgeable instructors with a SARC, service program manager, or certified instructor conducting the trainings. Team members also noted a clear commitment on behalf of SAPR personnel and command to institutionalize commander SAPR training for pre-command participants.

Ensuring adequate time for SAPR training was found to be the greatest challenge because of the quantity of information commanders are required to know. However, each of the Military Services was found to work well within the time constraints. Trainings also varied in format, class size, structure, and length. All trainings utilized case scenarios and group discussions.⁸³ Future PAT visits will continue to oversee

⁸⁰ Government Accountability Office (2008). *Report No. 08-924: Military Personnel: DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges*. Washington, DC: Author. Retrieved from <http://www.gao.gov/new.items/d08924.pdf>.

⁸¹ U.S. Department of Defense (2008). *Department of Defense Fiscal Year 2008 Report on Sexual Assault in the Military*. Washington, DC: Author, 12.

⁸² FY09 PAT Visits Checklists for Accession and Commander Training, which were used in FY09, can be found in the Appendix, Tab H.

⁸³ Trainings incorporate best practices consistent with the Adult Learning Theory according to: Malcolm S. Knowles (1950) *Informal Adult Education*, Chicago: Association Press, 9-10., and Knowles, M. S. and

commander training and apply additional tools currently in development by the Department to measure training effectiveness.

These findings validated draft policy requirement revisions the SAAC Training Subcommittee recommended for commander training in DoDI 6495.02, Enclosure 3, which will be included in the FY10 reissuance. The revised training policy is expected to enhance the effectiveness of the training. Details of these changes can be found in the *Response* section of this report.

Accession Training

The goals of FY09 PAT accession training visits were to determine how well Military Services provide training in accordance with SAPR policy, assess the quality of training, identify best practices and opportunities to refine DoD policy, and provide immediate feedback to stakeholders.⁸⁴

Overall, the training appeared to be engaging and informative, as demonstrated by audience interaction and feedback to instructors. All observed training met the requirements of DoDI 6495.02, as applicable.

As with commander training, each Military Service has fully institutionalized SAPR accession training for basic trainees and technical school students. Instructors appeared well-qualified and knowledgeable about the subject matter. PAT members noted a clear commitment on behalf of the commands to institutionalize accession SAPR training for new recruits and those in technical training. The accession trainings varied in context and length of time based on the individual needs of the specific Military Service. All accession training involved case scenarios and utilized group discussions. Training involving leadership participation by commanders or senior enlisted leaders appeared to be the most effective and is considered a best practice.

All Military Services fully institutionalized SAPR commander and accession training.

The Department plans to develop tools to measure the effectiveness of accession training programs and will continue to evaluate accession SAPR training to ensure policy compliance and quality consistency in FY10.

Knowles, H. F. (1955) *How to Develop Better Leaders*, New York: Association Press, and Knowles, M. S. and Knowles, H. F. (1959). *Introduction to Group Dynamics*, Chicago: Association Press. Revised edition 1972 published by New York: Cambridge Books.

⁸⁴ Accession training is training that a Service member receives upon initial entry into service through advanced individual training.

Policy Compliance Reviews

Based on PAT visit findings in FY08, the Department conducted a review of Military Service and Unified Combatant Command (UCC) SAPR policies to assess compliance with DoDD 6495.01 and DoDI 6495.02. This was the first full review of Military Service and UCC SAPR policies since the inception of the program in 2005.

The Department conducted policy compliance reviews.

Military Service SAPR Policy Review

In FY09, the Department reviewed each of the Military Service SAPR policy documents to identify inconsistencies with DoDI 6495.02. Overall, the review found that the Military Service policies were in alignment with DoD policy. However, discrepancies were identified in three major areas. First, SAPR training was not standardized across the Military Services. Second, LOD determination processes had not been modified to address Reserve Component victim privacy and care following a Restricted Report. Third, communication and collaboration was varied and sporadic across the Military Services.

The individual Military Services indicated plans to address the discrepancies noted. Specifically, in compliance with the DoD-directed LOD policy modifications, each Military Service updated its own policies so members of the Reserve Component making Restricted Reports could continue with confidential care following demobilization in FY09, with the exception of the USAF, whose final policy revisions are pending.⁸⁵

To complete the work accomplished in FY09, the Department will continue to address the gaps identified in training and communication-related Military Service SAPR policy by collaborating with the Military Services to review their updated policy guidance and plans to mitigate discrepancies.

⁸⁵ The Department of the Army published interim guidance revising LOD procedures to address Restricted Reporting and LOD procedures. The procedures protect the identity of victims who elect Restricted Reporting on the LOD form. The Department of the Navy and Marine Corps policies comply with DoDD 6595.01 and DoDI 6495.02. SECNAVINST 1770.3D is the Navy's policy on managing line of duty. The SECNAVINST and OPNAVINST will be revised to state explicitly all personnel authorized to receive covered communications for the purpose of making a LOD Determination; and to identify such disclosures as exceptions to the prohibition of disclosing covered communications in a case of restricted reporting. The Department of the Air Force published an interim change to Air Force Instruction 36-6001, *Sexual Assault Prevention and Response (SAPR) Program*, that incorporates the necessary policy changes to enhance the LOD processes for Reserve Component. The change to Air Force Instruction 36-2910, Line of Duty Determinations, which provides additional guidance for operational and field level implementation, is currently in final coordination for approval.

Unified Combatant Command Policy Review⁸⁶

Joint and deployed environments present unique challenges for sexual assault response efforts. Deployed units may face difficulties protecting the identity of victims in Restricted Reports, ensuring SAFE kit availability and victim care, transporting SAPR personnel and victims, and tracking services provided to victims because of differences between Military Services' SAPR program implementation. In addition, not all units arrive in theater with the required number of trained SARCs and VAs. Generally, each Military Service operates its own program without any Joint Headquarters program management element within the combat zone. To correct these issues, the Department initiated a UCC policy review.

In FY09, the Department assessed the policy gaps that existed between UCC SAPR policies and DoDD 6495.01 and DoDI 6495.02. The UCC's review included CENTCOM, U.S. European Command (EUCOM), PACOM, U.S. Special Operations Command (SOCOM), U.S. Southern Command (SOUTHCOM), U.S. Strategic Command (STRATCOM), U.S. Transportation Command (TRANSCOM), and U.S. Africa Command (AFRICOM).

Because UCC SAPR policies are intended to complement Military Service policies, criteria for this review were based on whether the UCC had written and published a SAPR program policy letter, Directive, Regulation, Instruction, or MOU with host installations within its AORs and whether those documents comply with DoD SAPR policy.

Overall, the UCCs maintain a variety of SAPR policy documents. However, per SOCOM Regulation 600-8, *Sexual Assault Prevention and Response (SAPR)*, "Each Military Service provides specific guidance for their members in accordance with DoDDs. USSOCOM guidance does not supersede Military Service policies but is intended to complement existing policies."⁸⁷ The review found that this view is shared by all UCCs. In addition, there is a wide variance between individual UCC SAPR policies regarding how a UCC complies with the intent of DoD SAPR policies. Although some UCCs specifically mention DoD and Military Service policies, others have vague policies that are not sufficiently specific.

To address these policy gaps, the Department will review UCC responses and provide updated policy guidance to the JCS policy, as needed.

In addition, the SAAC Policy and Accountability Subcommittee formed a Joint Environmental Working Group to address concerns stemming from the gap in Joint Publication (JP) 1-01, dated October 16, 2006. The working group recommendations are now published in JP 1-01, Appendix C, *Support Issues*, and reflect additional SAPR

⁸⁶ A UCC is a U.S. joint military command that is composed of forces from two or more Services. UCC has a broad and continuing mission and is organized either on a geographical basis or on a functional basis.

⁸⁷ U.S. Department of Defense (2008). Southern Command (SOCOM) Regulation 600-8, *Sexual Assault Prevention and Response (SAPR)*. Washington, DC: Author.

guidance per DoD requirements.⁸⁸ This step will ensure joint and COCOM planning adequately address DoD SAPR policy.

Major Case Review, Victim, and General Inquiries from the Field

The Department also provides oversight of the Military Services by reviewing high-interest cases after their closure. This review allows the Department to evaluate how its SAPR policy was applied and executed. In addition, the Department works with the Military Services to resolve victim inquiries and general inquiries made through SAPRO's website. This information is used to inform policy, resolve conflicts that arise through policy application, and enhance program implementation.

The Military Services also provide oversight on their own special interest cases. For example, the USN collaborated with Department of the Navy OTJAG to conduct a review of 50 closed NCIS investigations during FY08 to determine what types of cases are being reported in order to identify trends.

4. Reporting

Each year, the Department complies with the reporting requirements set forth in Section 577(f) of PL No. 108-375, the NDAA for FY05, by submitting the *DoD Annual Report on Sexual Assault in the Military*.

The Department complied with the reporting requirements of congressionally mandated reports.

The Department also complies with the reporting requirements established in Section 532 of PL No. 109-364, the NDAA for FY07, by submitting the *DoD Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies*.

Additional reporting requirements were created in Section 596(c) of PL No. 109-163, the NDAA for FY06, and Section 583 of PL No. 109-364, the NDAA for FY07.

FY09 Reporting Changes and Challenges

The Department has remained flexible, incorporating and executing new congressional reporting requirements and enhancing the reporting process each consecutive year since 2005. Past changes include the transition from CY to FY reporting periods and accounting for the revision to Article 120 of the UCMJ. These alterations have made it difficult to identify emerging statistical trends.

The Department has continued to work with the Military Services to fulfill Section 532 of PL No. 109-364, the NDAA for FY07, which directs the Military Services to submit aggregate sexual assault data to the Department quarterly. This aggregate data

⁸⁸ U.S. Department of Defense (2006). Joint Chiefs of Staff Publication 1-01, *Joint Publications System, Joint Doctrine and Joint Tactics, Techniques, and Procedures Development Program*. Washington, DC: Author, Appendix C.

collected in the *Department of Defense Fiscal Year 2009 Report on Sexual Assault in the Military* includes new case disposition categories.⁸⁹

Defense Sexual Assault Incident Database

Section 563 of PL No. 110-417, the NDAA for FY09, directs the Secretary of Defense to implement a centralized case-level database for the collection and maintenance of information regarding sexual assaults involving members of the Armed Forces.

To accomplish this task, the SAAC Policy and Accountability Subcommittee convened the Integrated SAPR Data Collection and Reporting Working Group, consisting of representation from all of the Military Services, National Guard, OASD for Reserve Affairs, JCS, OASD (HA), and SAPRO in the first quarter of 2008. Together, the working group created a design proposal that provided high-level concepts for DSAID. The group submitted a proposal to the Department, which it accepted and delivered to Congress by the January 2009 deadline. During the second quarter, the Department began work to further define and design DSAID. As of the end of FY09, the system will have three major functions and will receive data from all four of the Military Services and the National Guard. These functions include: ad-hoc query and reporting to meet congressional reporting requirements; case management, which enables SARC's to input and maintain sexual assault cases; and business management in support of SAPR Program Manager administration and case management.

The Department collaborated to begin the development of DSAID.

The development of a database of this size is a complicated, time-consuming process. However, the Department has made substantial progress, and it is anticipated that a Request for Proposal (RFP) will be released in the near future.

The Department will continue to work with the Military Services and other stakeholders to further develop DSAID in FY10. It will submit four reports to Congress on DSAID's progress in FY10 and two reports each year thereafter.⁹⁰ In addition, Section 567 of PL No. 111-84, the NDAA for FY10, establishes supplementary reporting requirements that must be incorporated into the DSAID.

Standardized Data Definitions

This year, the Department continued efforts to standardize data definitions across the Military Services through the SAAC Policy and Accountability Subcommittee. Particularly, the Subcommittee's Legal and Investigative Working Group developed a

⁸⁹ This satisfies Government Accountability Office (2008). *Report No. 08-924: Military Personnel: DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges*. Washington, DC: Author. Retrieved from <http://www.gao.gov/new.items/d08924.pdf>.

⁹⁰ The Congress (2010). Public Law Number 111-084. *The National Defense Authorization Act*. Washington, DC: Author, Sections 567 and 598.

new case flow chart and corresponding case disposition data definitions, which are discussed in the *Response* section of this report.

In support of the DSAID development process, the Department has been meeting with the Military Service SAPR programs and the MCIOs to better understand how their systems categorize and report sexual assaults. The Military Services have agreed to update their data systems to match DSAID requirements as needed. Once each Military Service system has been mapped and standardized, DSAID will be constructed to receive data in a way that allows for comparison and trend analysis of sexual assault reporting throughout the Department. This construction will further promote and enhance data uniformity and reliability. The Department will continue work to standardize data definitions in FY10.

The Department began standardizing data definitions to ensure accurate sexual assault reporting.

Empirical Research and Evaluation Initiatives

In FY09, the Department developed measures to determine Service member knowledge of reporting options and the likelihood that they would engage in bystander intervention behaviors. These measures will be fielded in FY10.

The Department is also sponsoring the FY10 Sexual Assault Gender Relations Survey. Through close work with SAPRO, the Defense Manpower and Data Center (DMDC) will revise the survey to craft questions that will more closely examine the climate surrounding reporting and confidence in the system among members of Active Duty and Academy populations.

The Military Services have also engaged in intensive research efforts to collect data on sexual assault attitudes and perceptions, reporting climate, prevalence and incidence of sexual assault, and SAPR training programs. For example, the USA Research Institute conducted the 2009 Sample Survey of Military Personnel to address perceptions of SAPR training and command responses to reports of sexual assault. In addition, the USAF has initiated a study to conduct a year-long cross-sectional study for the prevalence and incidence of sexual assault in the Air Force.

All Military Services engaged in intensive research efforts to collect data on sexual assault attitudes and perceptions, reporting climate, prevalence and incidence of sexual assault, and SAPR training programs.

The Department plans to continue the development of tools to measure the effectiveness of accession training programs in order to regularly oversee the accession SAPR training, which will ensure policy compliance and quality consistency throughout FY10. Additionally, the Department will implement an empirical evaluation of the DoD sexual assault social marketing campaign in FY10.

DoD Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies

The *DoD Annual Report on Sexual Harassment and Violence at the U.S. MSAs for Academic Program Year (APY) 2008–2009* will be provided to Congress in December 2009. The assessment, conducted in FY09, found that all three MSAs have made progress in refining their respective prevention and response programs for both sexual harassment and sexual assault. As implemented by the MSAs, DoD policy, training, and prevention practices provided a comprehensive and consistent response structure to support and care for victims.⁹¹

The *DoD Annual Report on Sexual Harassment and Violence at the U.S. MSAs for APY 2008–2009* resulted from the continued successful collaboration within the Department. DoD assessment teams performed thorough reviews of the MSA SAPR programs for both DoD and Military Services policy compliance. These reviews required the assessment team members to meet with MSA leadership, perform in-depth interviews with SAPR personnel and off-base resource representatives, and examine and analyze investigative and prosecutorial case files.^{92 93} In addition, DMDC conducted focus groups of cadets and midshipmen. Each assessment team comprised both SAPRO SMEs and Military Service representatives. Based on feedback from Military Service representatives, the Department drafted modifications to the DoDI 6495.02 that will expand and clarify guidance to the Military Services regarding their roles and responsibilities in the MSA SAPR assessment process in order to further ensure future success.

5. External Sexual Assault Prevention and Response Program Reviews

The Department was subject to several external SAPR program reviews in FY09 described in the sections below.

The Department participated in GAO, DTF-SAMS, and DoD IG investigations.

The Government Accountability Office

Prior to FY09, the GAO had conducted two reviews of the SAPR program since its inception in 2005. A third GAO review of the SAPR program was initiated at the beginning of FY09.

In August 2008, GAO issued a report indicating that although the Department had taken positive steps to prevent and respond to sexual assault, several factors hindered

⁹¹ The MSA for Academic Program Year 2008–2009 can be found at www.sapr.mil.

⁹² SAPR personnel interviewed included each Military Service Academy's SARC; VA; law enforcement personnel; military criminal investigator or investigative organization; trial counsel; defense counsel; VWAP; chaplain; mental health personnel; and medical personnel.

⁹³ Off-base resource representatives included personnel from the local Rape Crisis Centers and off-base medical personnel, including Sexual Assault Nurse Examiners, who have a MOU with each MSA.

program implementation.⁹⁴ In that report, GAO made several recommendations to improve DoD programs, including developing an oversight program and creating measures of effectiveness. The Department concurred with all of the recommendations in the report and incorporated them into items for action during the remainder of FY08 and FY09.

In November 2008, the Chairman of the House Committee on Oversight and Government Reform (HOCR), Subcommittee on National Security and Foreign Affairs requested that GAO continue to monitor the Department's efforts to strengthen implementation and oversight of the SAPR program. This new review is to assess the extent to which the Department implemented previous recommendations, whether the Department addressed a congressional requirement to establish a centralized case-level sexual assault incident database, and whether the Military Services strengthened their respective SAPR programs.

The Department participated in GAO's review by holding briefings on DoD programs, providing documentation, and writing responses that demonstrated the Department's improvement of policies and programs in the short time since GAO issued the preceding report. The GAO report is expected to be released in January 2010. The Department will review findings and issue responses at that time.

Defense Task Force on Sexual Assault in the Military Services

The DTF-SAMS was established on October 3, 2005, pursuant to Section 576 of PL No. 108-375, the NDAA for FY05, to examine matters relating to sexual assault in which members of the Armed Forces are either victims or perpetrators of sexual assault. The DTF-SAMS consists of five members from the Department and five members from outside the Department. Over the course of the year, SAPRO responded to two data calls from the task force, provided several briefings on SAPR policy and programs, and attended public meetings of the Task Force.

The DTF-SAMS report will be submitted to the Secretary of Defense on December 1, 2009. The Department's response to the Task Force's findings will be included in a separate report to Congress due in March 2010.

DoD Inspector General

In FY09, a DoD IG report recommended that the Department consider modifying SAPR policy to include DoD contractors who are both U.S. citizens and contingency contractor personnel authorized to accompany U.S. Armed Forces stationed outside of the Continental U.S. (OCONUS).⁹⁵

⁹⁴ Government Accountability Office (2008). *Report No. 08-924: Military Personnel: DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges*. Washington, DC: Author. Retrieved from <http://www.gao.gov/new.items/d08924.pdf>.

⁹⁵ The DoD Inspector General (2009). *Project No. D2008-D000CE-0221.000: Efforts to Prevent Sexual Assault/Harassment Involving DoD Contractors During Contingency Operations*. Washington, DC: Author.

The Department will continue to address the extension of SAPR policy to DoD civilians and DoD contractors, particularly in areas of contingency operations such as Iraq and Afghanistan as addressed in the DoD IG report. The Department will explore all legal, acquisitions, and contract issues associated with this suggested expansion.

The Military Services also engaged in internal oversight activities through their OIG. For example, the IG of the USMC collaborated with the IG of the Navy to conduct the Command/Unit Inspection Program, a deep examination of the SAPR program.

6. Congressional Hearings and Reports

The Department maintained open communication on SAPR policies and programs throughout FY09.

In January 2009, the SAPRO Director and Military Service SARCs testified at a hearing on Victim Care and Advocacy called by the HASC, Subcommittee on Military Personnel. The SAPRO Director described the sexual assault reporting options for Service members, care available in the SAPR program, and victim care tracking. The Director also discussed SAPR program challenges, including state mandatory reporting laws that interfere with Restricted Reporting, LOD limitations, and the difficulties associated with balancing the needs of the victim with the needs of the military criminal justice process.

In March 2009, the SAPRO Director and Military Service SAPR program representatives testified about the Department's prevention initiatives at a second hearing called by the HASC, Subcommittee on Military Personnel. The HASC also invited civilian experts from the California Coalition Against Sexual Assault and Oklahoma State University to discuss best practices in prevention and to comment on the Department's progress. At this time, the SAPRO Director described the *Sexual Assault Prevention Strategy* and DoD leadership's involvement with SAPR and debuted the social marketing campaign developed with MCSR assistance.

In June 2009, the HOCR, Subcommittee on National Security and Foreign Affairs held a hearing on the context and causes of sexual assault in the military. No DoD representative was called to testify. However, the Subcommittee invited experts from the civilian community to provide insight into the nature of sexual assault and what factors might contribute to sexual violence within the military.

The Department will continue this dialogue in FY10 through several reports that have been legislated by Congress. These reports have response dates that are in rapid succession ranging from December 2009 to April 2010 and are listed in the *Way Ahead* section of this report.

7. Oversight Outreach and Collaboration

Report Communications

In addition to responding to numerous inquiries from Congress, the IG, the GAO, the DTF-SAMS, and other organizations throughout the year, the Department coordinates and prepares several mandated annual reports, including the *DoD Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies* and the *DoD Annual Report on Sexual Assault in the Military*.

Several outreach materials and events are prepared and coordinated to communicate the findings of each report to various audiences. These outreach activities include tailored briefings, frequently asked questions, report summaries, press releases, press conferences, and one-on-one interviews with the media.

Military Service Oversight Outreach

In July 2009, the Department engaged DoD organizations to discuss the development of the *DoD-Wide SAPR Strategic Plan* and to identify requirements for the new *Oversight Framework for SAPR*. To gather valuable input from its stakeholders on SAPR oversight, SAPRO conducted an offsite session with SAPR community members, including representatives from the Military Services, the Reserve Component, the U.S. Coast Guard, and other DoD components, including the OGC, OIG, and HA.

Each of the SAAC subcommittees described in this report has a Military Service co-chair and a SAPRO co-chair. Subcommittee members include representatives from SAPRO staff, Military Service M&RAs, Service SAPR Program Managers, and federal partners.

VI. AGGREGATE REPORT OF SEXUAL ASSAULT INCIDENTS

The Department's sexual assault statistics include all contact sexual crimes by adults, as defined in the Uniform Code of Military Justice (UCMJ). These crimes include rape, aggravated sexual assault, nonconsensual sodomy, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, and attempts to commit these offenses. For incidents that occurred prior to the UCMJ changes on October 1, 2007, sexual assault included rape, nonconsensual sodomy, indecent assault, and attempts to commit these acts.^{96 97}

⁹⁶ U.S. Department of Defense (2008). Uniform Code of Military Justice. Article 120, *Rape and Carnal Knowledge*. Washington, DC: Author. Retrieved from <http://www.au.af.mil/au/awc/awcgate/ucmj2.htm#920.%20ART.%20120.%20RAPE%20AND%20CARNAL%20KNOWLEDGE>.

⁹⁷ U.S. Department of Defense (2008). Uniform Code of Military Justice. Article 125, *Sodomy*. Washington, DC: Author. Retrieved from <http://www.au.af.mil/au/awc/awcgate/ucmj2.htm#925.%20ART.%20125.%20SODOMY>.

In fiscal year (FY) 2009, there were a total of 3,230 reports of sexual assault involving military Service members, representing an 11-percent increase from FY08.⁹⁸

- The Military Services received 2,516 Unrestricted Reports involving Service members as the subject and/or victim of sexual assault (an 11-percent increase from FY08).
- The Military Services initially received 837 Restricted Reports involving Service members as victims of sexual assault (an 11-percent increase from FY08).
 - 123 (or 14.7 percent) of the Restricted Reports received later converted to Unrestricted Reports at the victims' request, leaving 714 remaining Restricted Reports.
- 2,670 Service members reported they had been the victim of a sexual assault. Of those:
 - 1,956 Service members made (1,833) or converted (123) to an Unrestricted Report.
 - 714 Service members made and maintained Restricted Reports.

As noted previously, sexual assault is one of the most underreported crimes in the United States. Estimates suggest that only a small percentage of sexual assaults are ever reported to the police.⁹⁹ This reporting behavior is mirrored in the U.S. Armed Forces. The Department's own statistics indicate that only 20 percent of Service members who experience unwanted sexual contact report the matter to a military authority.¹⁰⁰ Because reporting is frequently the first step in getting assistance, the Department enacted a new policy in 2005 to encourage more victims to come forward.¹⁰¹ Since that time, there has been an upward trend in reporting behavior. It should be noted that increased reporting of sexual assault does not necessarily reflect a rise in the annual number of incidents of sexual assault. Rather, the Department expects that by encouraging more victims to come forward via Restricted and Unrestricted Reporting, it will capture a greater proportion of the sexual assaults that occur each year.

While one sexual assault is too many, the overall increase in reporting behavior is encouraging. The more military members who report this crime, the greater the ability of the Department to provide resources to victims of sexual assault and hold perpetrators accountable for their offenses. The Department expects that yearly increases in reporting will indicate improved Service member confidence in the Department's sexual

⁹⁸ The total number of reports (3,230) is derived from the number of Unrestricted Reports (2,516) and Restricted Reports (714).

⁹⁹ Rand, M., Rennison, C., and U.S. Department of Justice. (2002). *Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992–2000*. Washington, DC: Rennison, Callie Marie. Retrieved from <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=1133>.

¹⁰⁰ Department of Defense (2008). *2006 Workplace and Gender Relations Survey of Active Duty Members*. Washington, DC: Defense Manpower Data Center.

¹⁰¹ U.S. Department of Defense (2008). DoD Instruction 6495.02, *Sexual Assault Prevention and Response Program Procedures*. Washington, DC: Author.

assault prevention and response (SAPR) program. Exhibit 1 shows the increase in total number of reports made to the Department in the past three FYs.

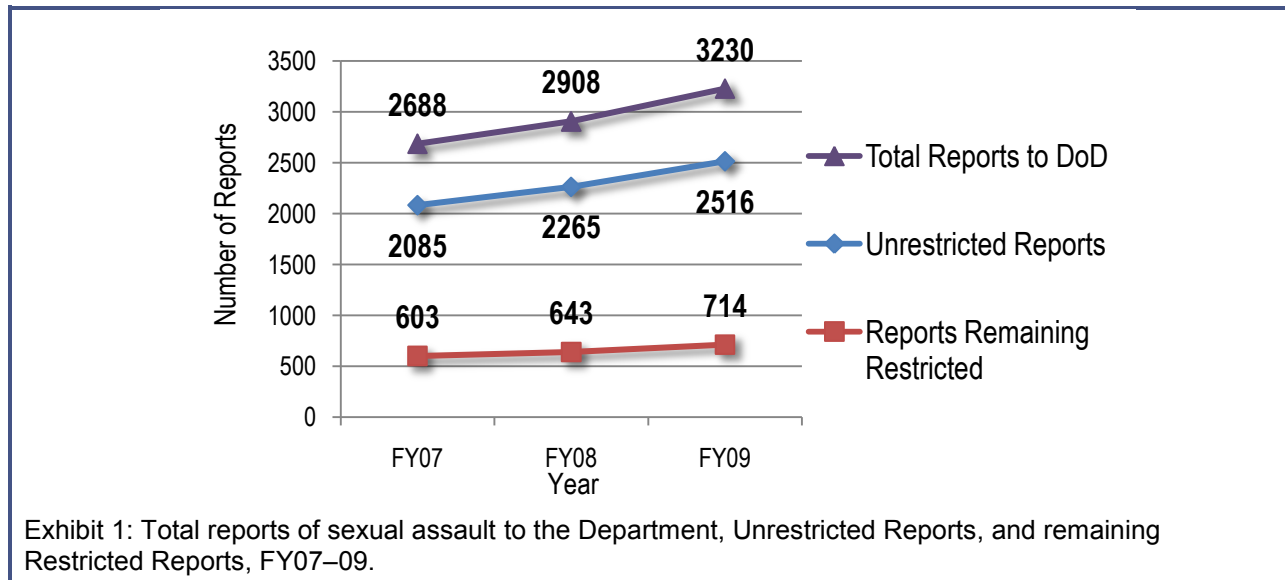
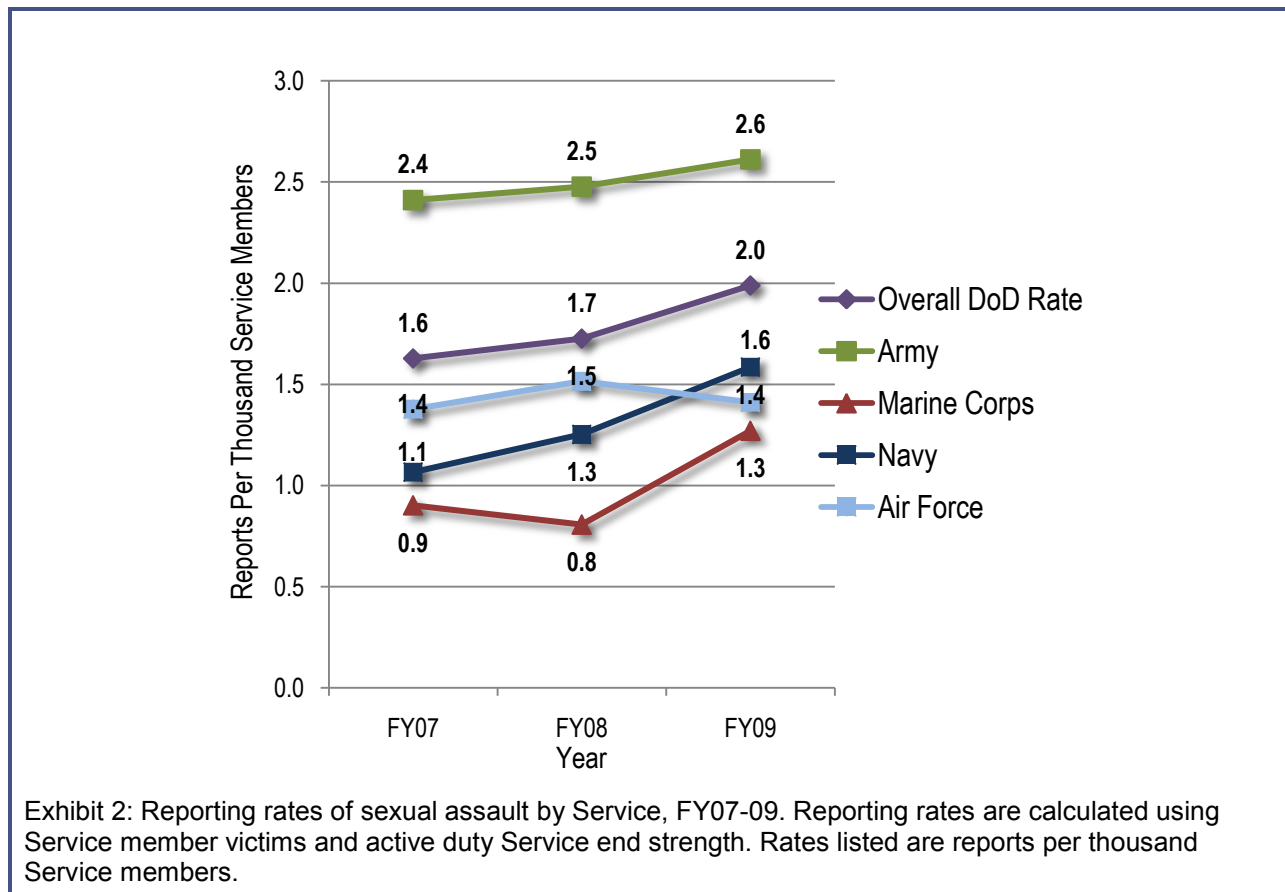


Exhibit 2 shows the reporting rates during the past three FYs.



A discussion of the aggregate sexual assault incidents occurring in FY09 follows in the sections below. This includes an analysis of Unrestricted Reports, Restricted Reports, and Reports in Combat Areas of Interest (CAI).

A. FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT

Data from Unrestricted Reports are collected and reported to the Department by the Military Criminal Investigative Organizations (MCIO), which are the Army Criminal Investigations Command (USACID), the Naval Criminal Investigative Service (NCIS), and the Air Force Office of Special Investigations (AFOSI).¹⁰²

In FY09, there were 2,516 Unrestricted Reports of sexual assault involving Service members as the subject and/or victim of a sexual assault (see Table 1).¹⁰³

- 1,767 (70 percent) Unrestricted Reports involved Service members as victims. Because some incidents involved multiple victims, there were 1,956 Service member victims involved in the 1,767 reports of sexual assault.
 - 132 military victims made an Unrestricted Report and obtained services for a sexual assault that occurred prior to military service.
- 2,516 criminal investigations were initiated, and 2,284 criminal investigations were completed in FY09.¹⁰⁴
 - 1,569 of these criminal investigations were completed by the end of FY09; the results of the other 947 investigations will be reported in forthcoming years' reports.
 - 715 criminal investigations from prior reporting periods (FY08 and earlier) were also completed during FY09.

¹⁰² An Unrestricted Report of sexual assault is a report that is provided to command and/or law enforcement for investigation.

¹⁰³ The term "subject" is used in the Armed Forces to denote the suspected perpetrator of an offense.

¹⁰⁴ Depending on the complexity of the allegation, the investigation can take a few weeks to several months to complete. Consequently, sexual assault investigations and the outcome of cases may cross reporting periods.

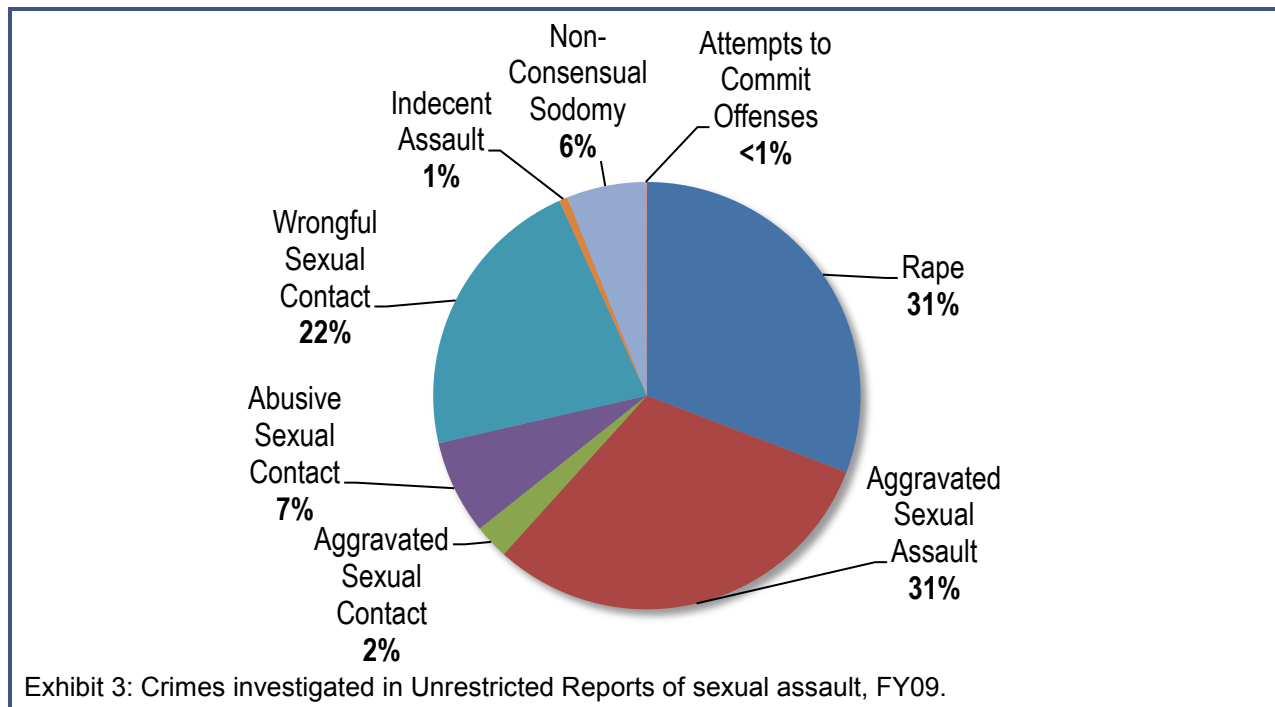


Table 1: Unrestricted Reports of sexual assault by offense and service affiliation.

Type of Offense	Total Unrestricted Reports	Number of Reports Involving Service Members as Victims	Number of Reports Involving Non-Service Members as Victims
Rape	776	464	312
Aggravated Sexual Assault	776	552	224
Aggravated Sexual Contact	66	44	22
Abusive Sexual Contact	179	148	31
Wrongful Sexual Contact	550	433	117
Indecent Assault	16	13	3
Nonconsensual Sodomy	149	110	39
Attempts to Commit Offenses	4	3	1
Total Unrestricted Reports in FY09	2,516	1,767	749

Every year the MCIOs receive a considerable number of reports of sexual assault that involve the victimization of Service members by Service members. In FY09, 1,338 Unrestricted Reports (or 53 percent of the Unrestricted Reports) involved allegations of Service member on Service member sexual assault. In FY08, 51 percent Unrestricted

Reports and 57 percent of FY07 Unrestricted Reports involved Service member on Service member sexual assaults.

Exhibit 4 illustrates how Service members are involved in sexual assault reports.

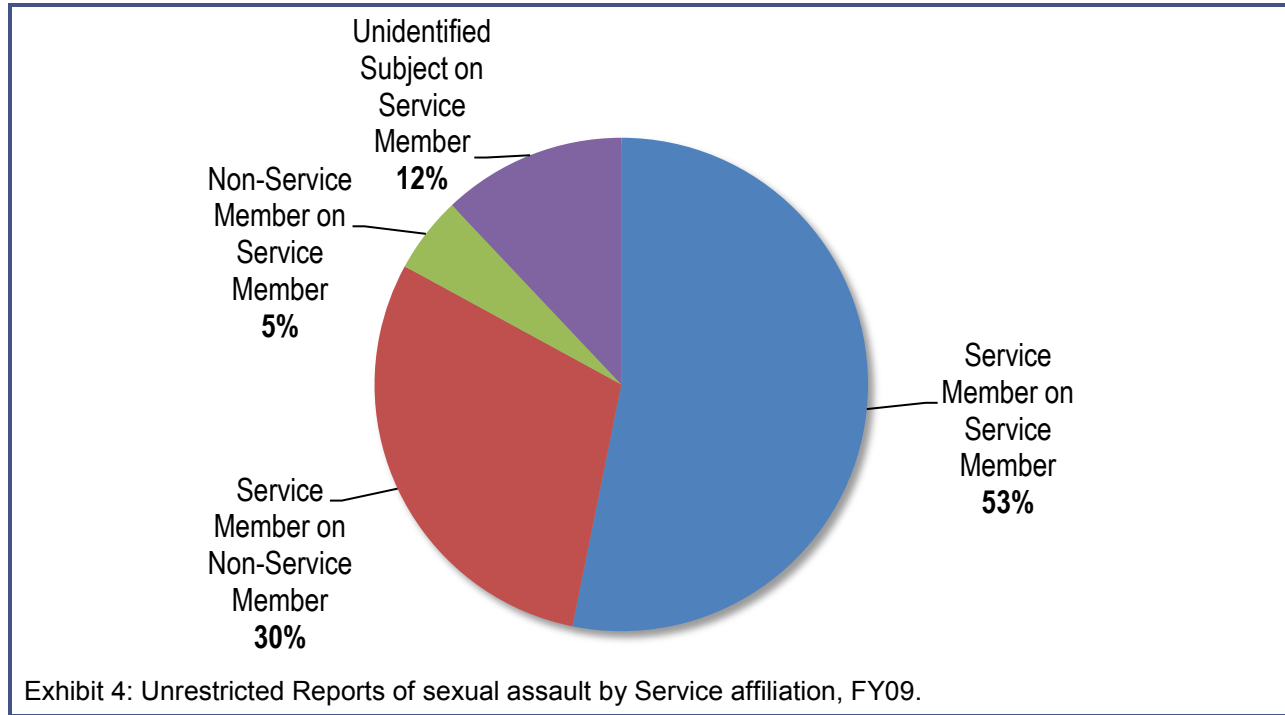
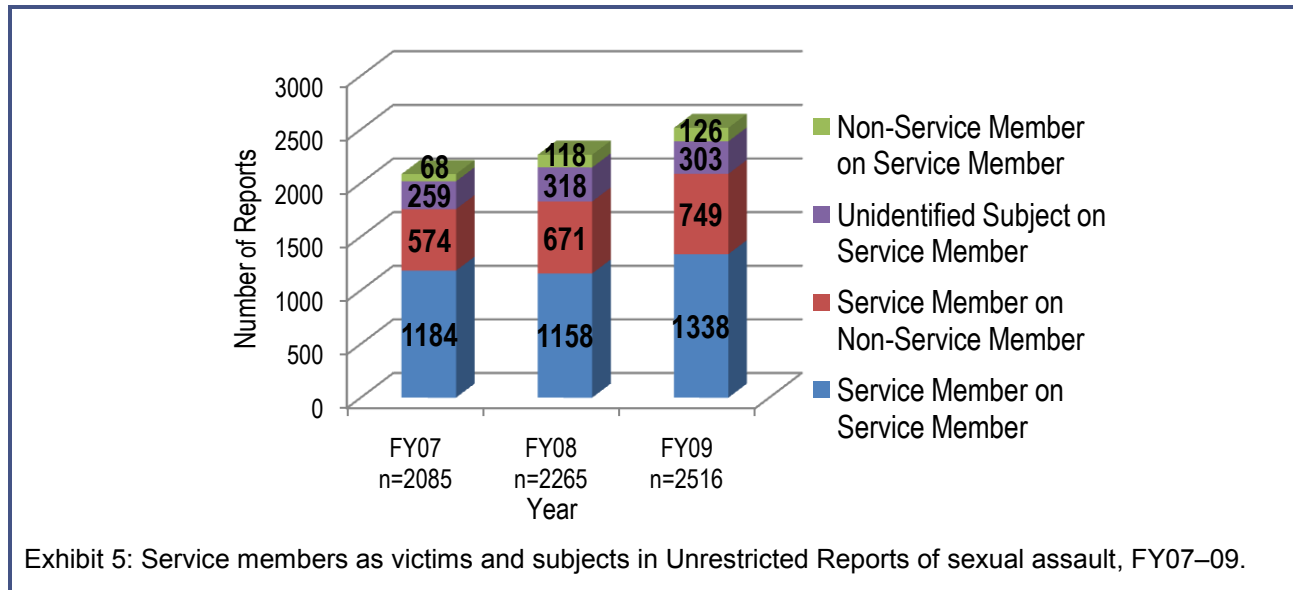


Exhibit 5 illustrates across three reporting periods how Service members are involved in sexual assault reports.



1. Disposition of Completed Investigations

After an Unrestricted Report of sexual assault is made, it is typically referred to a MCIO for investigation. Depending on the complexity of the allegation, the investigation can take a few weeks to several months to complete. Consequently, sexual assault investigations and the outcome of cases may cross reporting periods. The following section includes data about investigations of sexual assault that were opened and completed in FY09, as well as data about pending investigations from prior years that were completed in FY09 (see Table 2). There were 2,284 investigations of sexual assault completed during FY09.

Table 2: Investigations from FY09 and prior years completed in FY09.

Investigations Completed in FY09	Reports Made Prior to FY09	Reports Made During FY09	Total FY09
Investigations of Unrestricted Reports of sexual assault opened in FY09 or pending from prior years	755	2,516	3,271
Investigations Completed as of 30-Sep-09 (involving one or more subjects)	715	1,569	2,284
Investigations still pending as of 30-Sep-09	40	947	987

When an Unrestricted Report is investigated, the goal of the investigation is to identify what crimes have been committed, who has been victimized, and who may be held accountable for the crime. It is the intent of the Department to hold subjects accountable when available evidence supports such action. The 1,569 criminal investigations opened and closed in FY09 involved 1,698 subjects.¹⁰⁵ The investigations opened in FY08 and prior years and closed in FY09 involved 1,185 subjects. While many of these 2,883 subjects were Service members under the legal authority of the Department, 91 subjects were civilians and foreign nationals not subject to military law, 179 were Service members being prosecuted by a civilian or foreign authority, and 151 were not identified despite a thorough investigation. In addition, the MCIOs determined that allegations against 151 of the subjects were unfounded.

This year, the Department implemented new disposition categories to better account for the outcomes of investigations and actions taken against subjects. Exhibit 6 shows the flow of sexual assault reports from initial allegation through final disposition. These categories will assist the Department in identifying areas for additional research and analysis.¹⁰⁶

¹⁰⁵ Some of the reports involved more than one offender.

¹⁰⁶ Commander declined action is pursuant to MCM RCM 306(c)(1). Unlike "unfounded," where the allegation does not satisfy all the elements of a sexual assault offense, and "Insufficient Evidence of Any Offense," where the elements are facially met but the evidence just doesn't have the amount or quality to justify action, the RCM 306(c)(1) reason is where the elements and sufficiency of the evidence are there, but command action is not warranted as a matter of discretion because of other factors RCM 306 advises commanders to consider -- mitigating or extenuating circumstances, etc.

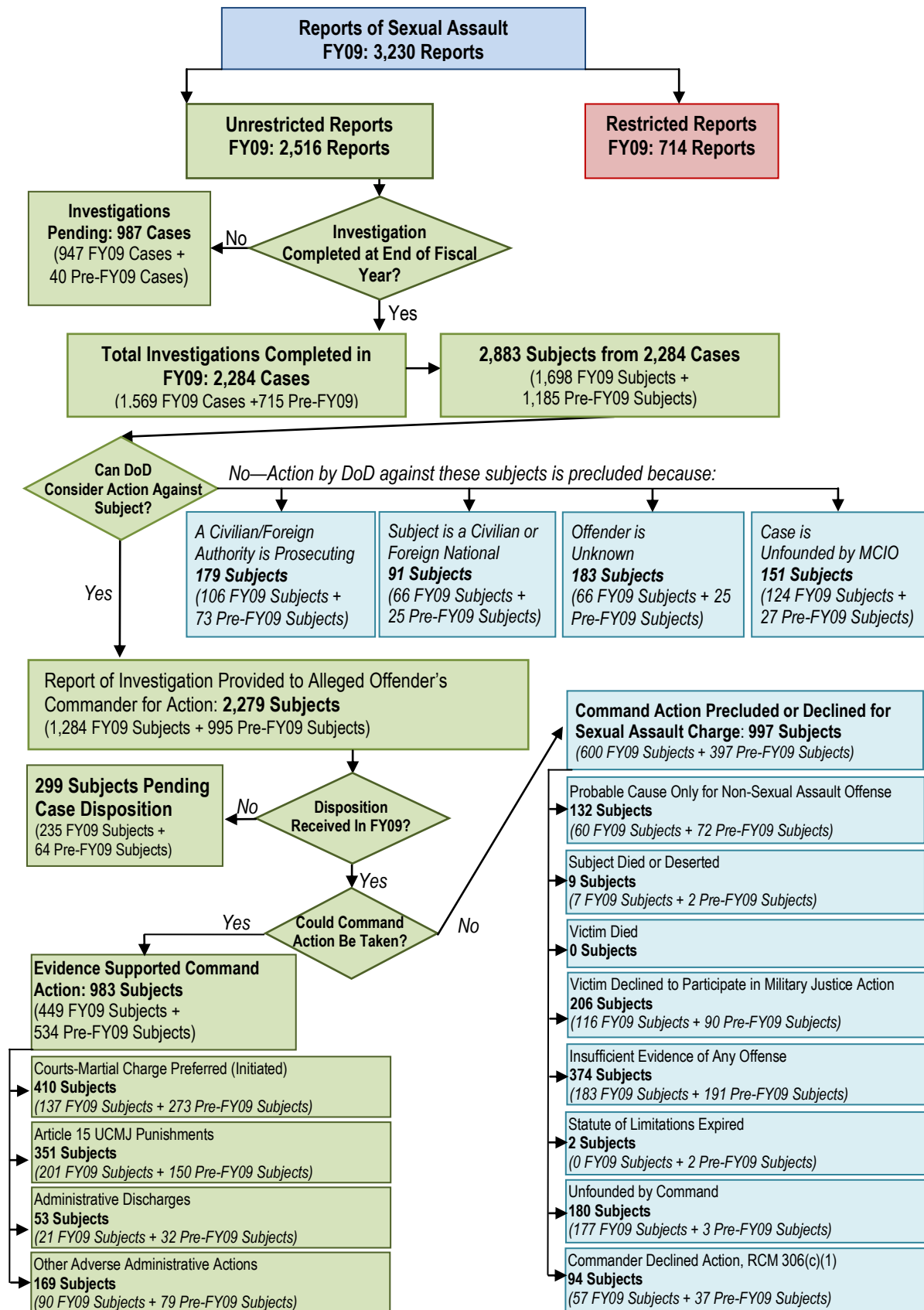
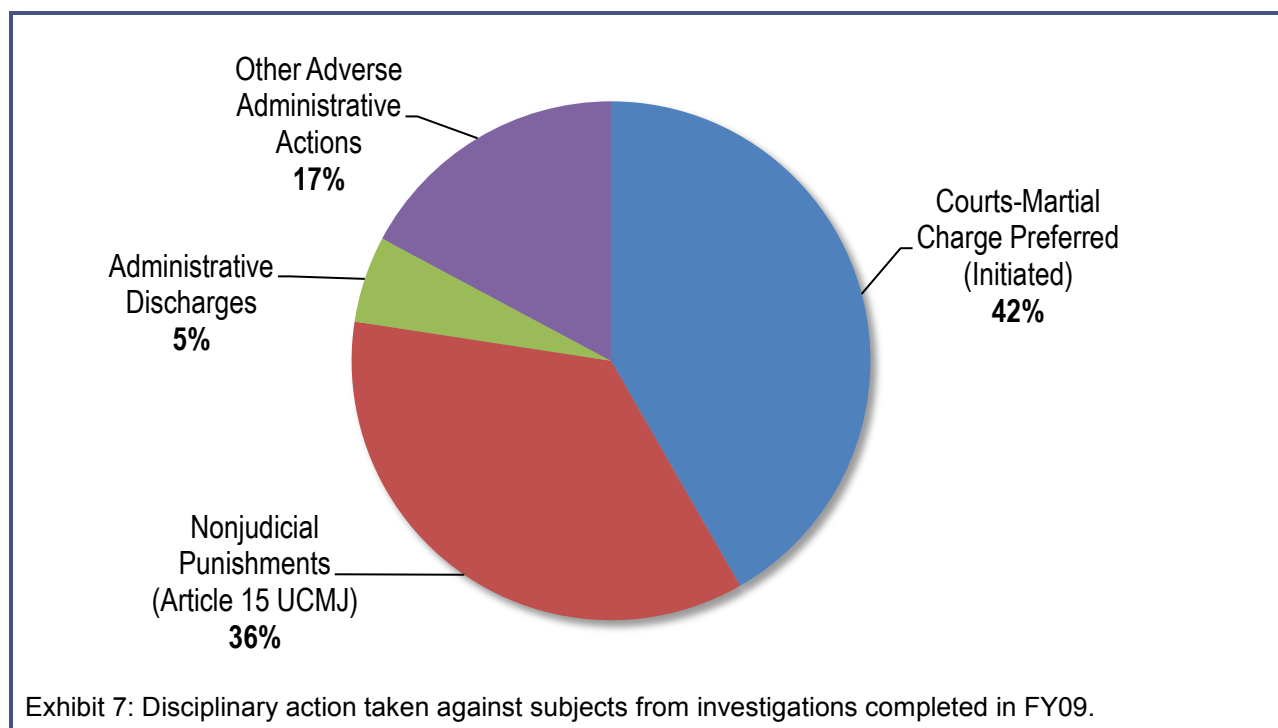


Exhibit 6: Flow of cases from initial report through final disposition, FY09.

- Reports of investigation on 2,279 subjects were provided to military commanders for action in FY09. At the close of the reporting period, 299 subjects had yet to receive a final disposition. Action against these subjects will be reported in a future annual report.¹⁰⁷
- For investigations completed in FY09, commanders had jurisdiction and sufficient evidence of a crime to support taking disciplinary action against 983 subjects. The actions taken have been as follows:
 - 410 courts-martial charges preferred (initiated)
 - 351 nonjudicial punishments (Article 15, UCMJ)
 - 53 administrative discharges
 - 169 other adverse administrative actions.



¹⁰⁷ The Department requests that the Military Departments provide disposition information on each subject of a completed investigation of an Unrestricted Report. The Department requests that the total number of subjects reported captures the number of subjects for whom final disposition has been received, as well as the number of subjects for whom final disposition was not yet available at the close of the FY09 (listed as “pending completion” in Sections D and E of DoD Worksheets 1a and 4a). This is because there can be a several month delay between the date a subject’s case has been investigatively completed and referred to command for action, and the date that a subject receives final disposition on his or her case. This delay often goes across reporting periods for a significant amount of subjects. Unlike the Army and Air Force, the Naval Criminal Investigative Service does not count a subject’s case as “completed” until the subject receives final disposition. Consequently, Navy and Marine Corps case disposition totals have been adjusted in the DoD statistics to account for the Navy’s reporting differences.

- For 997 subjects whose cases were completed in FY09, command action for sexual assault charges was precluded or declined for the following reasons:
 - Investigation of the allegations against 132 subjects disclosed probable cause for only a non-sexual assault offense.
 - 9 subjects died or deserted before action could be taken against them.
 - The victim declined to participate in military justice actions against 206 subjects.
 - Investigation of the allegations against 374 subject disclosed insufficient evidence of any offense.
 - 2 subjects could not be prosecuted because the statute of limitations had expired.
 - Review of the investigations by command found that the allegations against 180 subjects were unfounded.
 - Commanders of 94 subjects declined taking action in accordance with Rules for Court Martial, Section 306, Paragraph (c)(1).

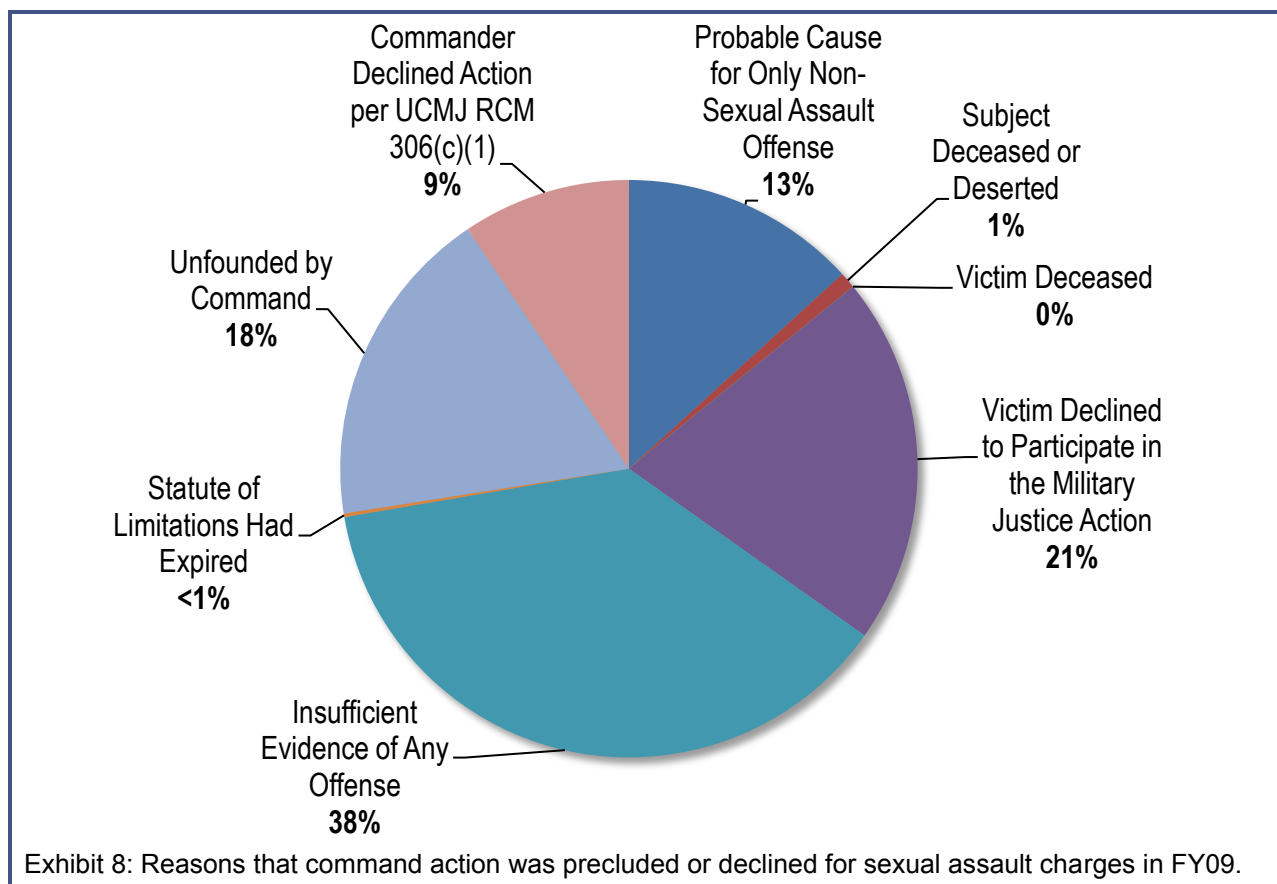


Table 3: Dispositions of subjects from investigations completed in FY09.

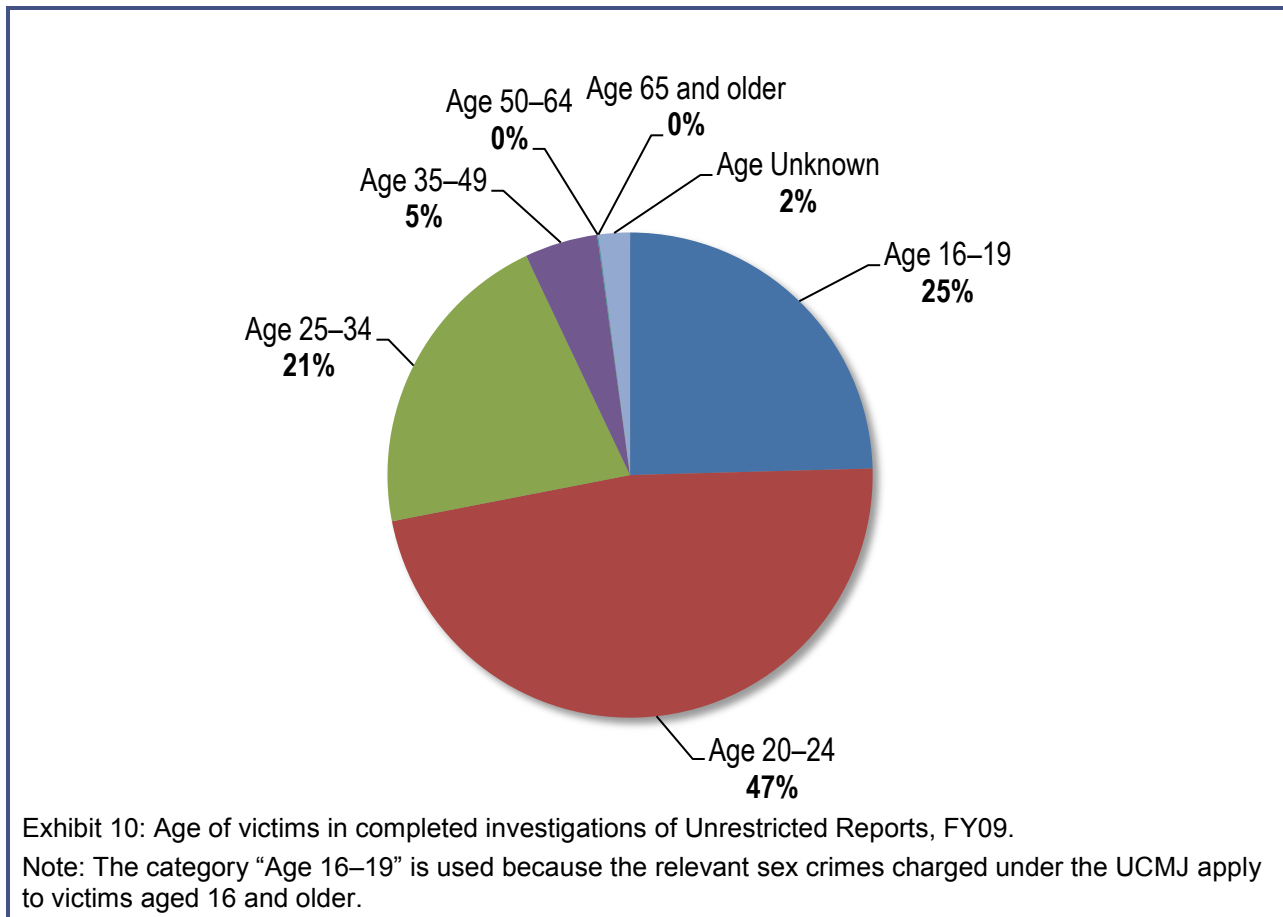
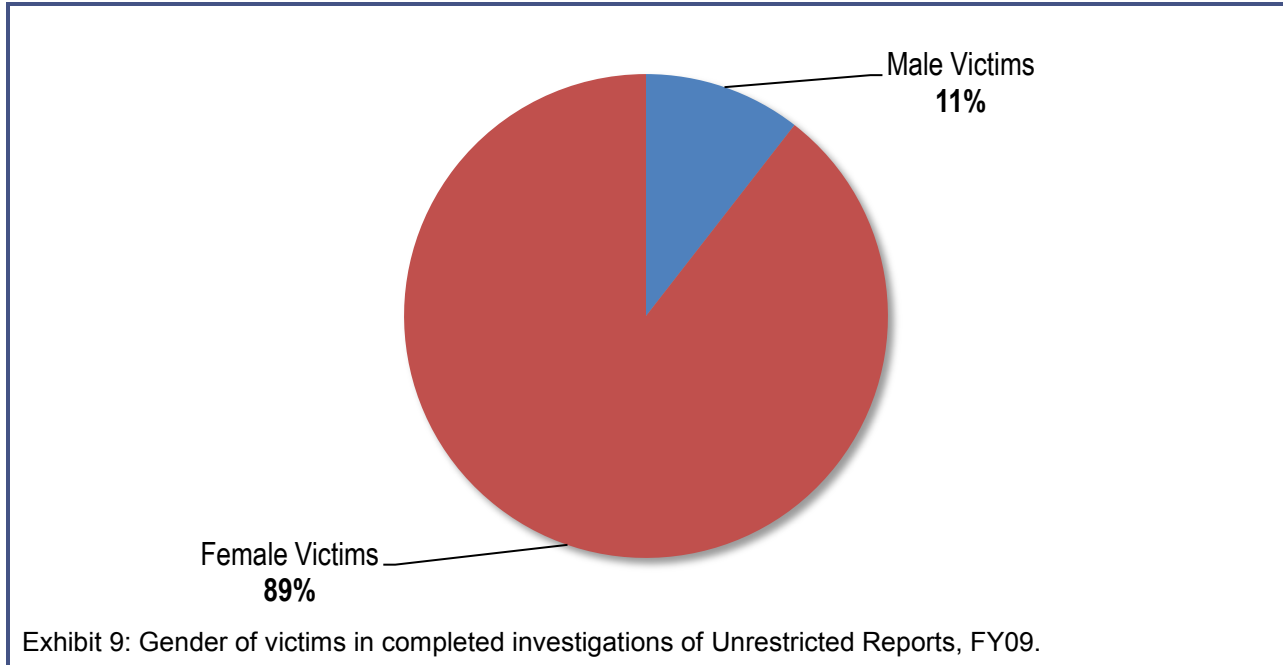
	Reports Made Prior to FY09	Reports Made During FY09	Total FY09
Total Subjects	995	1,284	2,279
Subjects Pending Disposition as of 30-Sep-09	64	235	299
Command Action Precluded or Declined for Sexual Assault Charges	397	600	997
<i>Probable Cause Only for Non-Sexual Assault Offense</i>	72	60	132
<i>Subject Died or Deserted</i>	2	7	9
<i>Victim Died</i>	0	0	0
<i>Victim Declined to Participate in Military Justice Action</i>	90	116	206
<i>Insufficient Evidence of Any Offense</i>	191	183	374
<i>Statute of Limitations Expired</i>	2	0	2
<i>Unfounded by Command</i>	3	177	180
<i>Commander Declined Action, per MCM RCM 306(c)(1)</i>	37	57	94
Evidence Supported Command Action	534	449	983
<i>Courts-Martial Charge Preferred (Initiated)</i>	273	137	410
<i>Nonjudicial Punishments (Article 15, UCMJ)</i>	150	201	351
<i>Administrative Discharges</i>	32	21	53
<i>Other Adverse Administrative Actions</i>	79	90	169

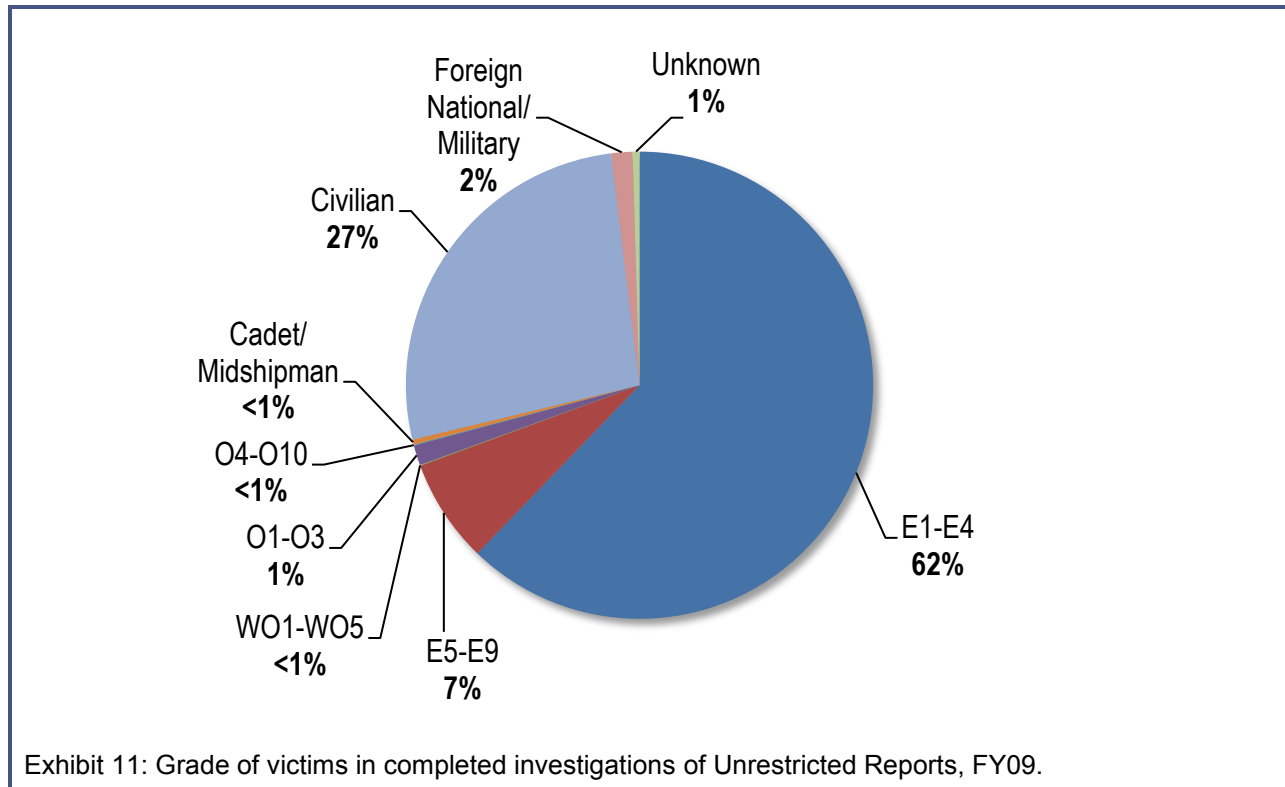
2. Demographics of Unrestricted Reports

The following demographic information is drawn from the 1,569 investigations of sexual assault that were initiated and completed during FY09. These investigations involved 1,711 victims and 1,698 subjects. There were 253 investigations that involved more than one victim, more than one subject, or multiple victims and subjects.

Victims

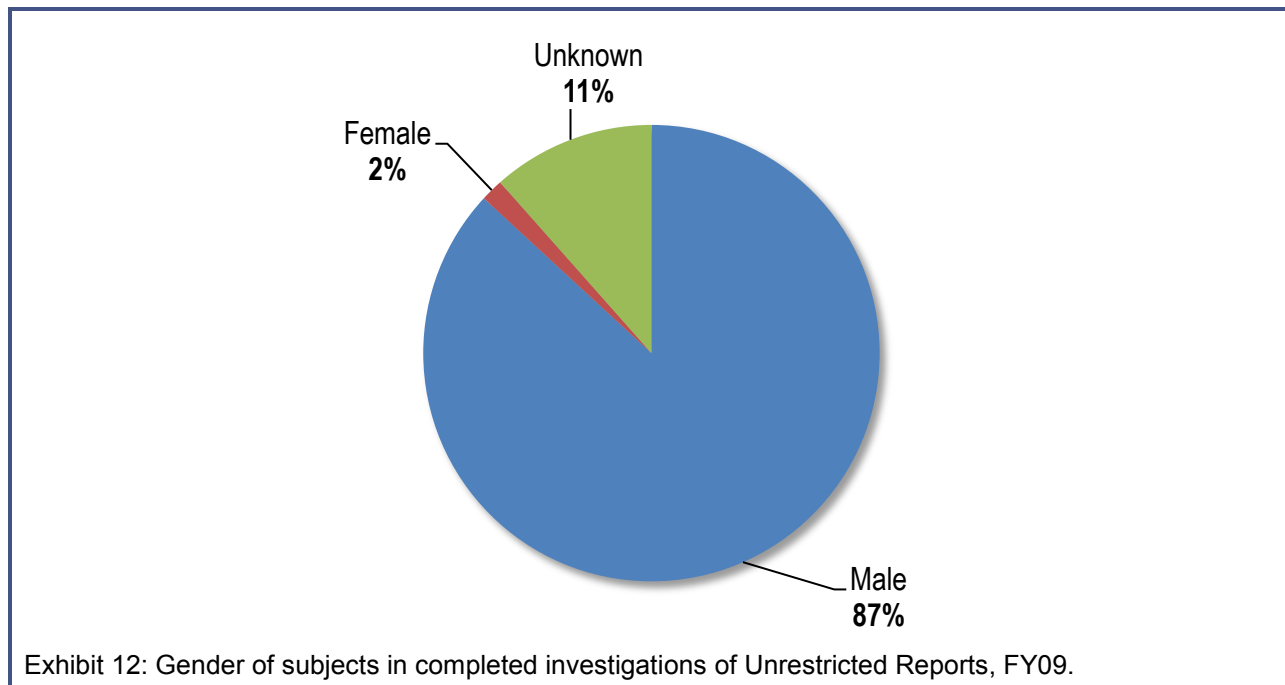
Exhibits 9, 10, and 11 show that the vast majority of victims tend to be female, under the age of 25, and from junior enlisted ranks, respectively.

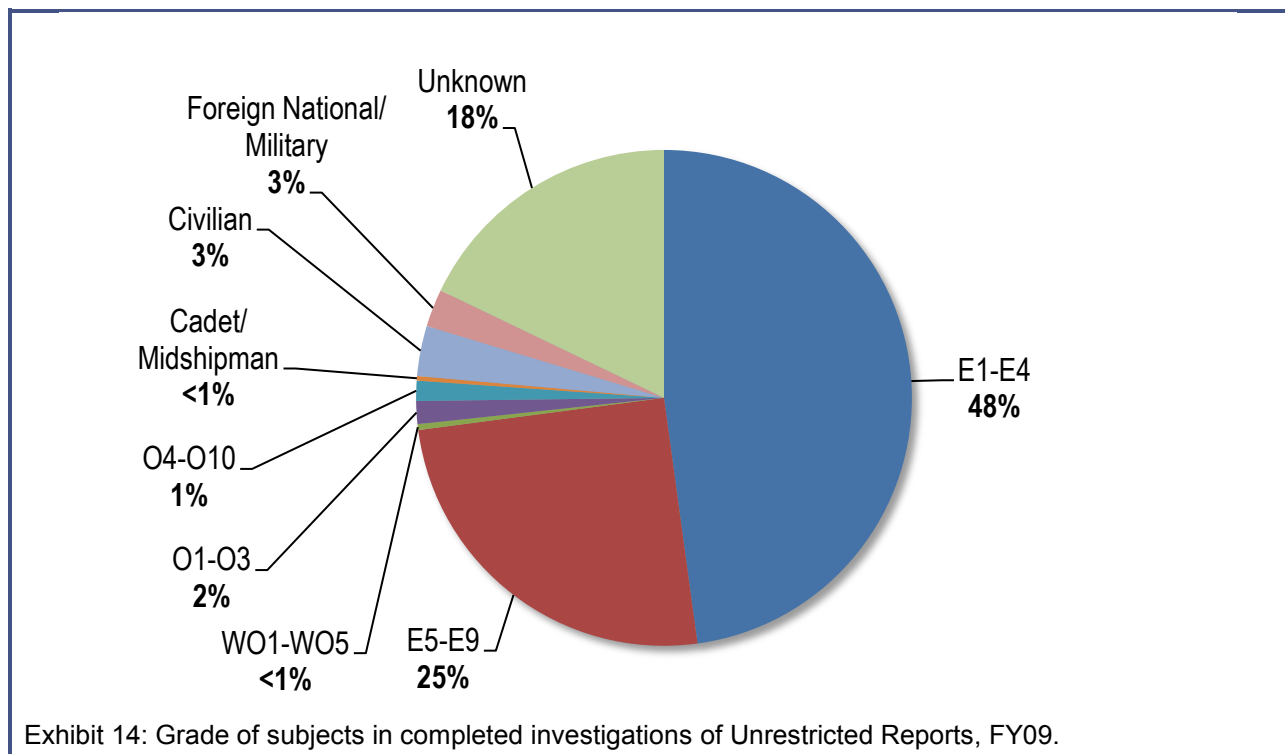
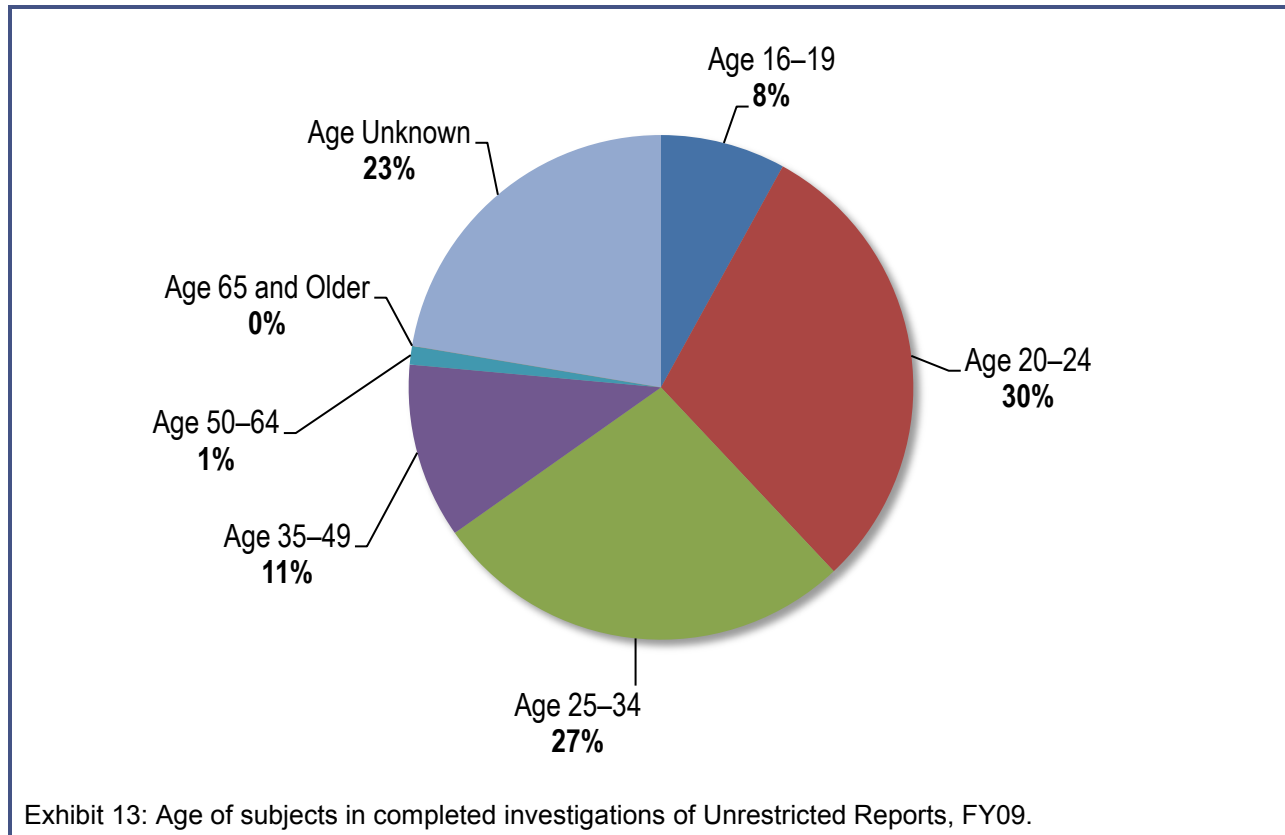




Subjects

Exhibits 12, 13, and 14 show that the vast majority of subjects tend to be male, under the age of 35, and from junior enlisted ranks, respectively.





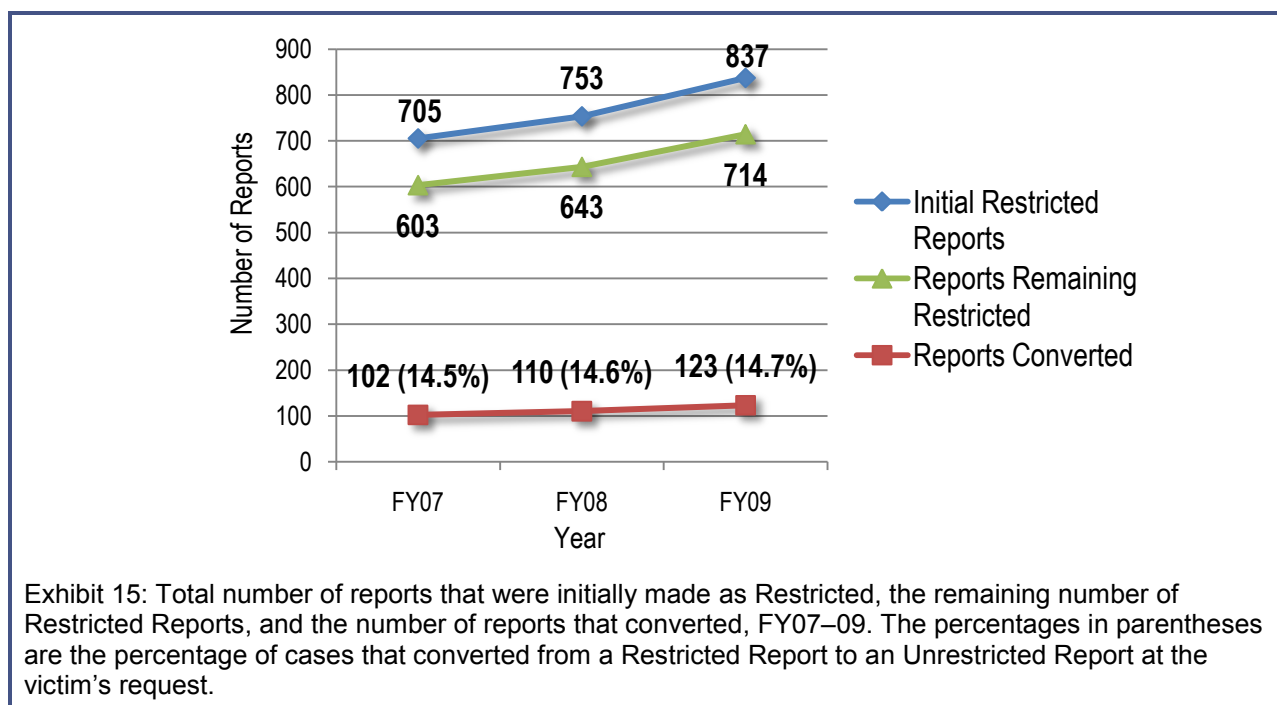
B. FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT

Sexual Assault Response Coordinators (SARC) and Victim Advocates (VA) typically collect information for Restricted Reports. Because Restricted Reports are confidential, covered communications, as defined in DoD policy, SAPR personnel only collect limited data about the victim and the allegation being made.¹⁰⁸ As with Unrestricted Reports, Restricted Reports can be made for incidents that occurred in prior reporting periods and incidents that occurred prior to military service.

In FY09, there were 837 Restricted Reports of sexual assault:

- Of the 837 reports, 123 (or 14.7 percent) converted to Unrestricted Reports at the request of the victim.
- At the close of FY09, 714 reports remained Restricted.¹⁰⁹
- 84 military victims made a Restricted Report and obtained services for a sexual assault that occurred prior to military service.

The percentage of victims desiring to convert their Restricted Reports to Unrestricted Reports has remained relatively stable at about 15 percent. Exhibit 15 shows the Restricted Reports and conversion rates for the past three FYs.

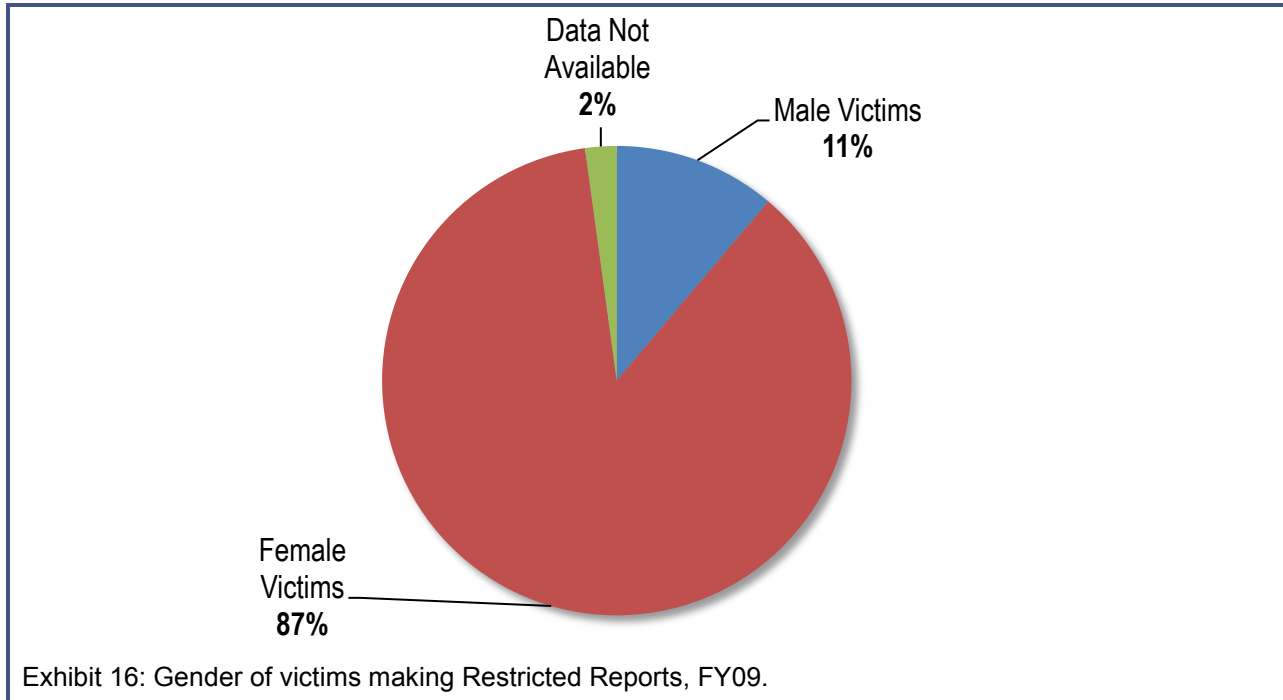


¹⁰⁸ U.S. Department of Defense (2008). DoD Directive 6495.01. *Sexual Assault Prevention and Response (SAPR) Program*. Washington, DC: Author. E2.1.2. and E2.1.3.

¹⁰⁹ The Restricted Reports that converted to Unrestricted Reports are included in the total 2,516 Unrestricted Reports cited earlier.

1. Demographics of Restricted Reports of Sexual Assault

The following information pertains to Service members who have made a Restricted Report of sexual assault. Exhibits 16, 17, and 18 show that victims who made a Restricted Report are primarily female, under the age of 25, and in a junior enlisted rank, respectively.



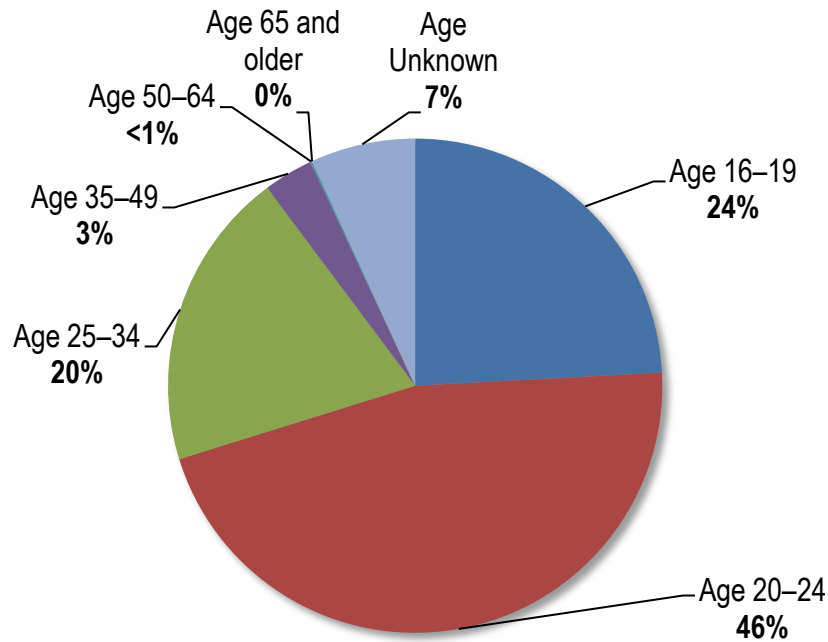


Exhibit 17: Age of victims making Restricted Reports, FY09.

Note: The category “Age 16–19” is used because the relevant sex crimes charged under the UCMJ apply to victims aged 16 and older.

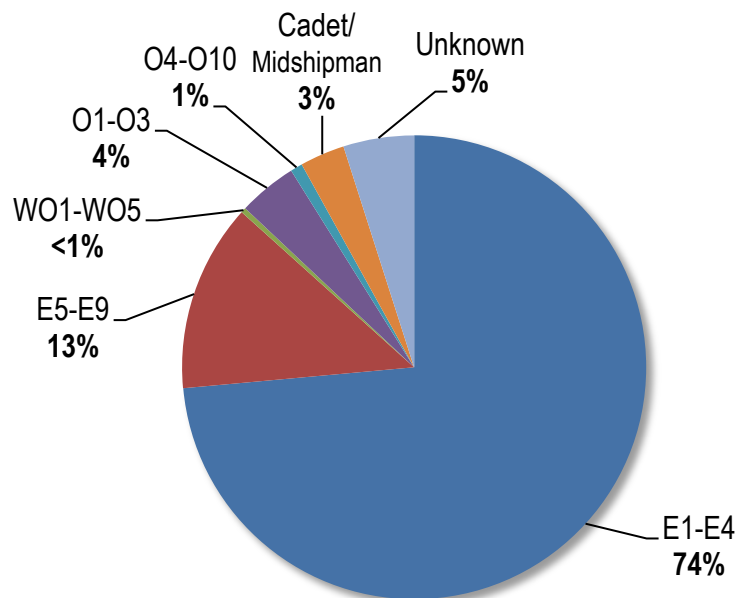
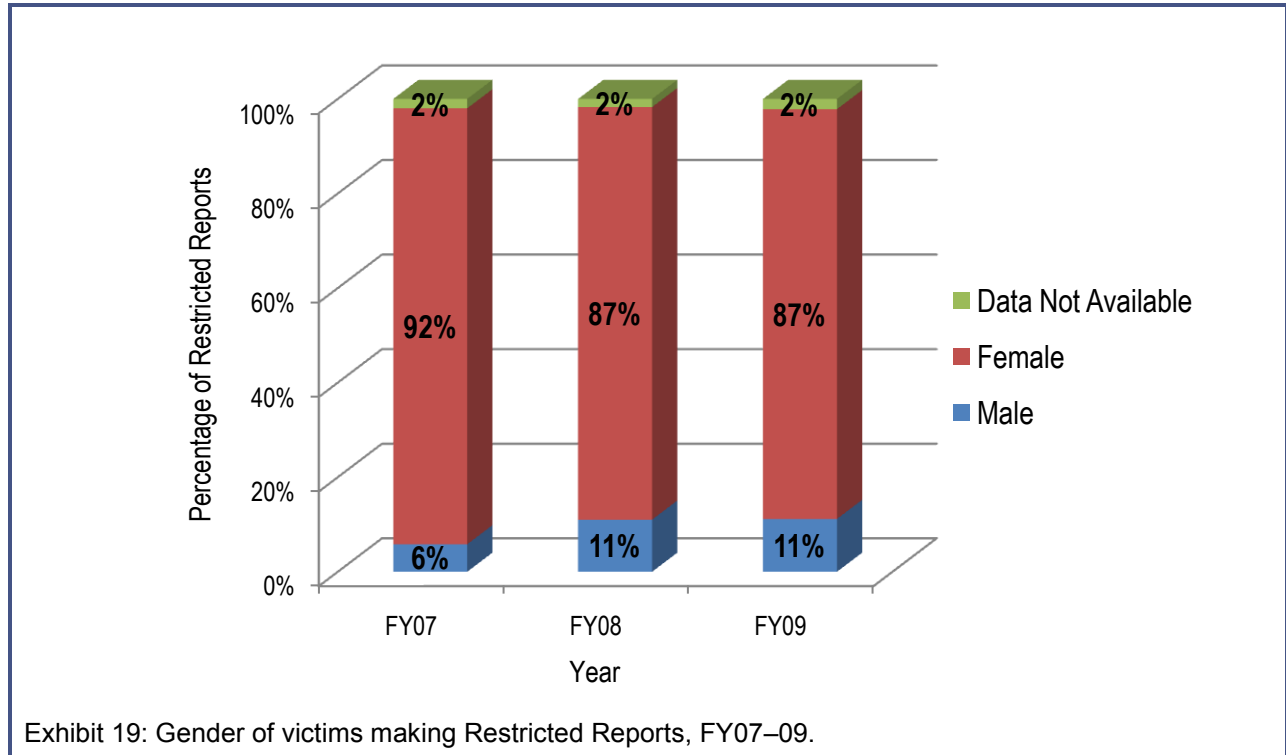
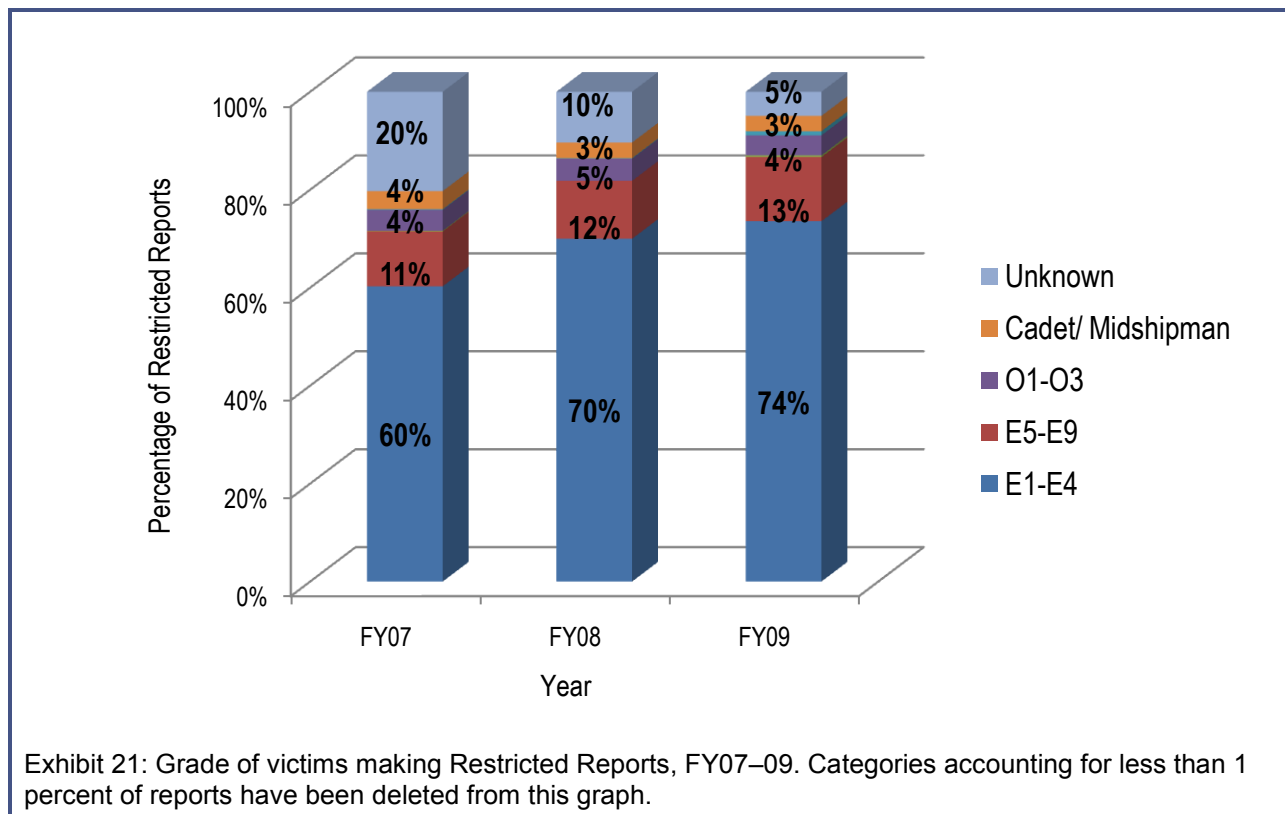
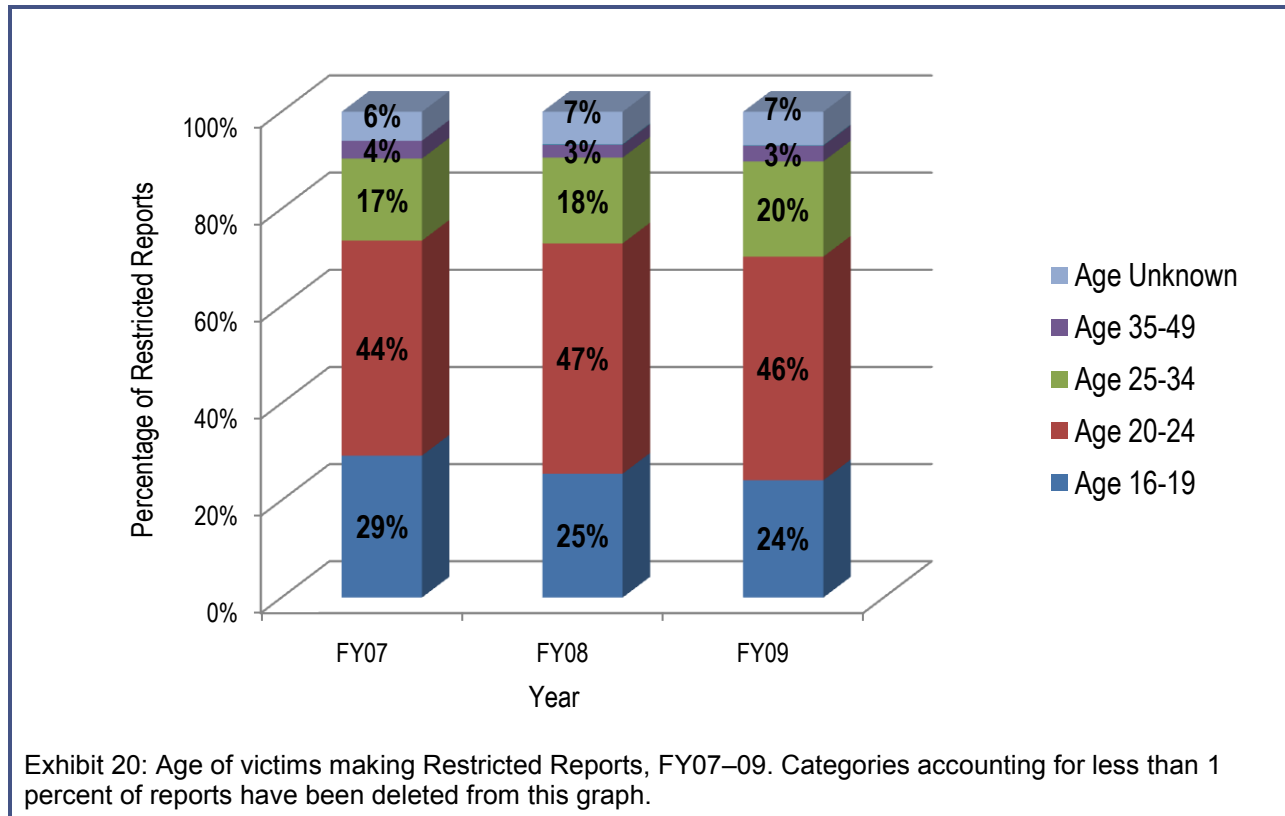


Exhibit 18: Grade of victims making Restricted Reports, FY09.

2. Demographics of Restricted Reports, FY07–09

The distribution of gender, age, and grade of victims making Restricted Reports since FY07 has remained relatively stable (see Exhibits 19, 20, and 21).





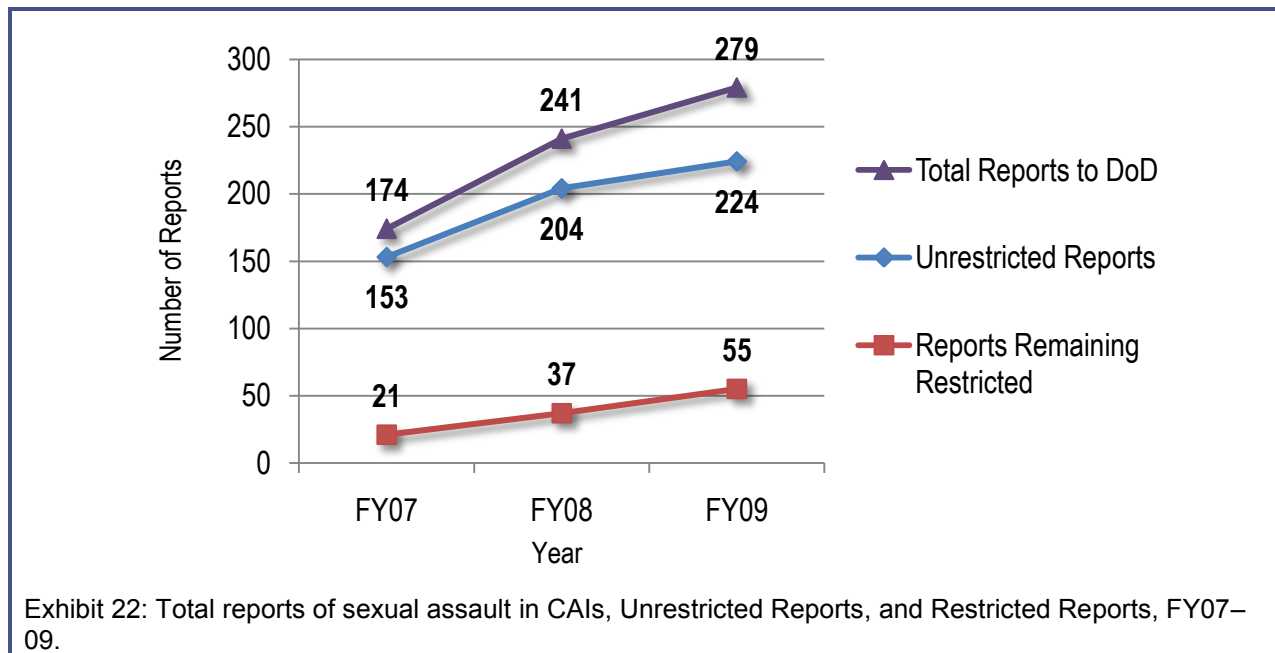
C. FY09 REPORTS OF SEXUAL ASSAULT IN COMBAT AREAS OF INTEREST

For the purposes of this year's report, CAIs include Bahrain, Iraq, Jordan, Lebanon, Syria, Yemen, Egypt, Djibouti, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates, Iran, Pakistan, Afghanistan, and Kyrgyzstan. Arduous conditions in CAIs make sexual assault response and data collection very difficult. However, SARCs and VAs are in place in all of these areas. Larger field hospitals are supplied with sexual assault forensic examination (SAFE) kits for evidence collection. SAPR personnel work hard to get requested services and treatment to victims. The data reported below have been included in the total number of Unrestricted and Restricted Reports described in previous sections.

In FY09, there were 279 reports of sexual assault in CAIs. This represents a 16-percent increase in CAI reporting from FY08, very similar to the 11-percent increase seen in overall reporting noted previously.¹¹⁰ 215 (or 77 percent) of the 279 reports occurred in Iraq and Afghanistan. Exhibit 22 shows the history of Unrestricted and Restricted Reporting in CAIs since FY07.

- 224 reports were Unrestricted Reports, of which 149 (or 67 percent) were made in Iraq and 32 (or 14 percent) were made in Afghanistan. The remaining 43 were made in Kuwait (21), Bahrain (5), United Arab Emirates (5), Qatar (4), Jordan (3), Egypt (2), Djibouti (1), and Kyrgyzstan (1).
- 58 reports were initially made as Restricted Reports. Three reports (or 5 percent) were converted to Unrestricted Reports at the victims' request, leaving 55 Restricted Reports. Twenty-six (or 45 percent) of the 58 Restricted Reports were made in Iraq, and 8 (or 14 percent) were made in Afghanistan. The remaining 24 Restricted Reports were made in Kuwait (11), Qatar (10), Bahrain (1), Djibouti (1), and Kyrgyzstan (1).

¹¹⁰ On page 41 of the FY08 Annual Report on Sexual Assault in the Military, the text mistakenly notes that there were 251 total reports of sexual assault in combat areas of interest. In fact, there were 241 reports of sexual assault in CAI; 204 were Unrestricted Reports and 37 were reports remaining Restricted. Ten converted Restricted Reports that had already been counted with the 204 Unrestricted Reports were added in error to the overall total.

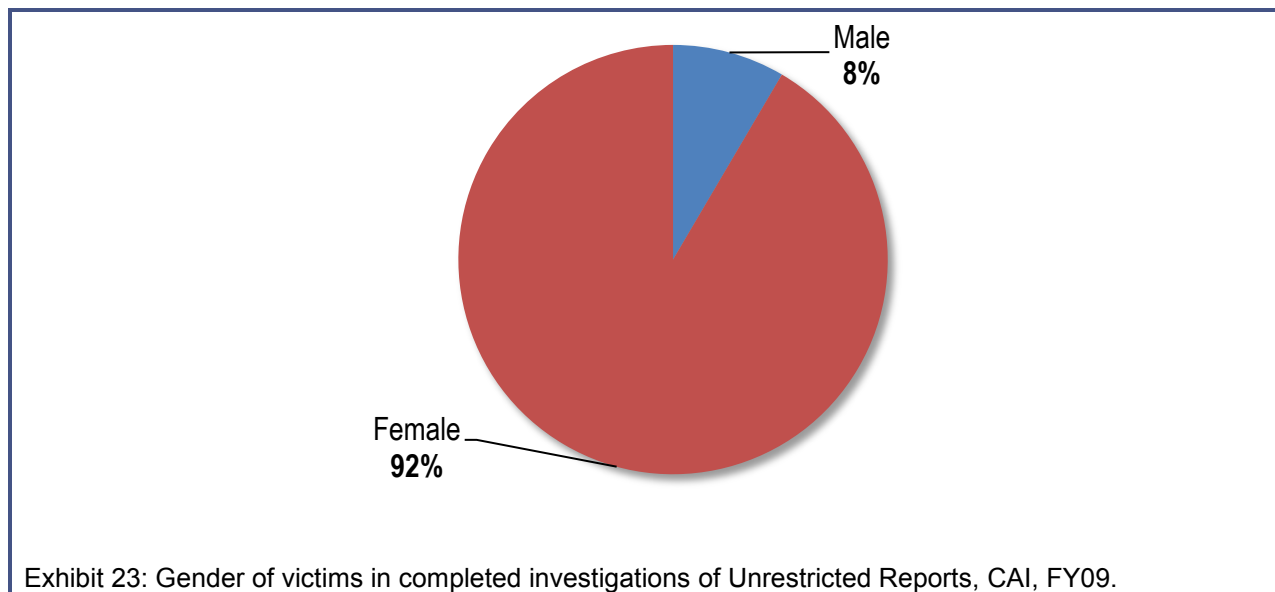


1. Demographics of Unrestricted Reports in Combat Areas of Interest

Demographic information about the Unrestricted Reports of sexual assault in CAIs was drawn from the investigations opened and closed during FY09. These 174 investigations involved 189 victims and 183 subjects. Sixteen investigations involved more than one victim, more than one subject, or multiple victims and subjects.

Victims

Exhibits 23, 24, and 25 demonstrate that victims in CAIs who make Unrestricted Reports are mostly female, under the age of 25, and in a junior enlisted rank.



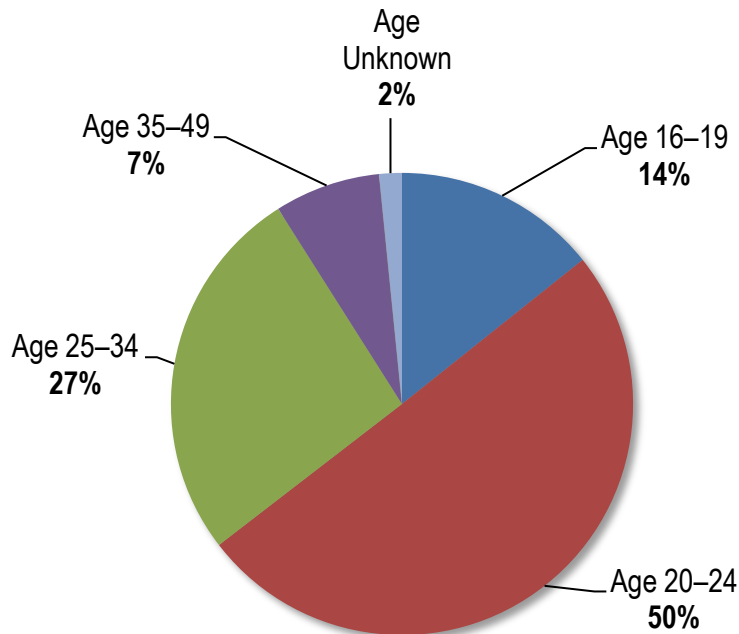


Exhibit 24: Age of victims in completed investigations of Unrestricted Reports, CAI, FY09. Categories with zero entries are not shown.

Note: The category “Age 16–19” is used because the relevant sex crimes charged under the UCMJ apply to victims aged 16 and older.

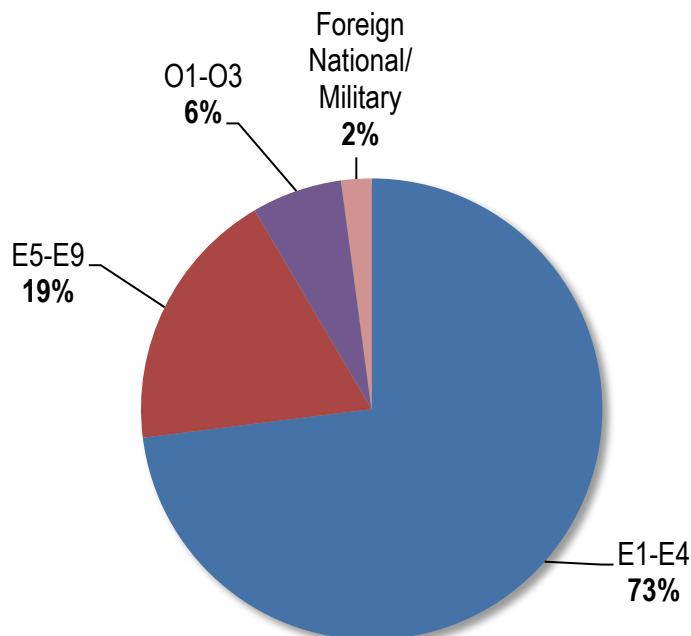
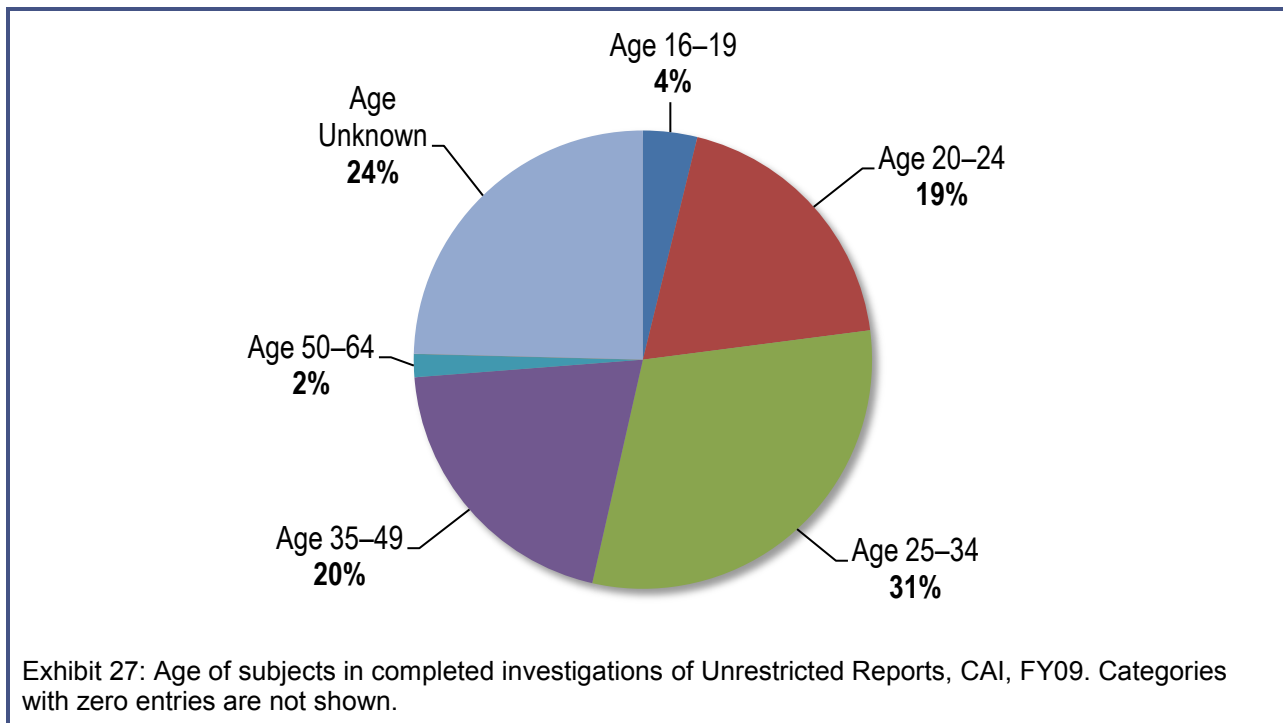
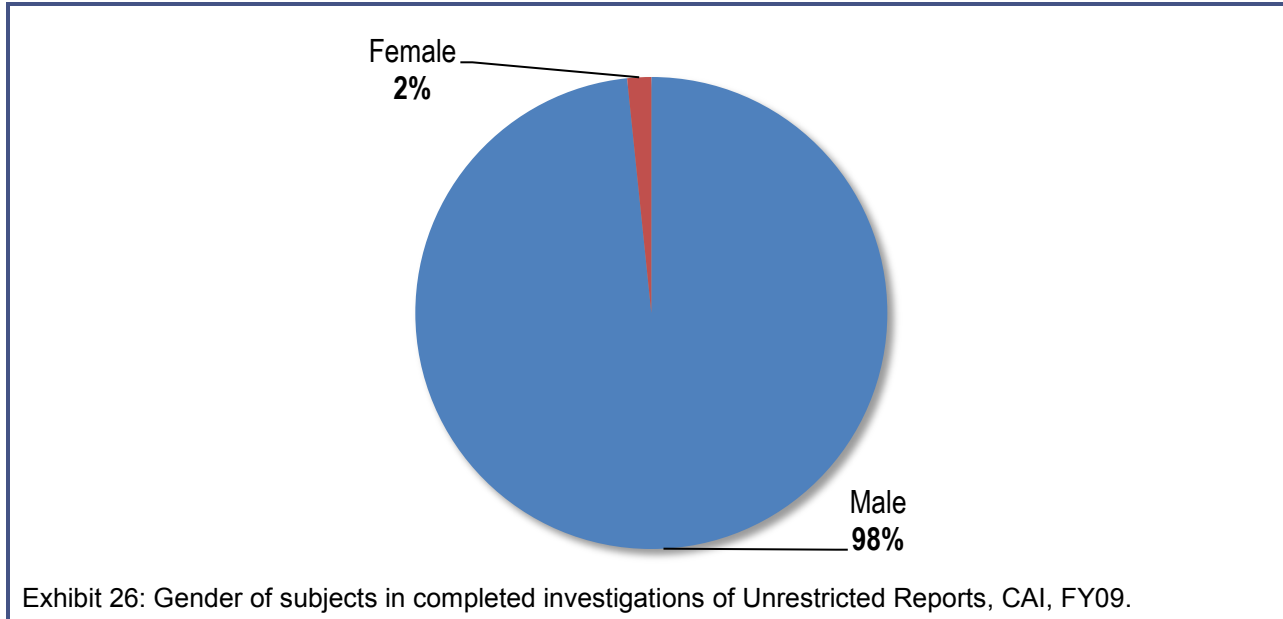
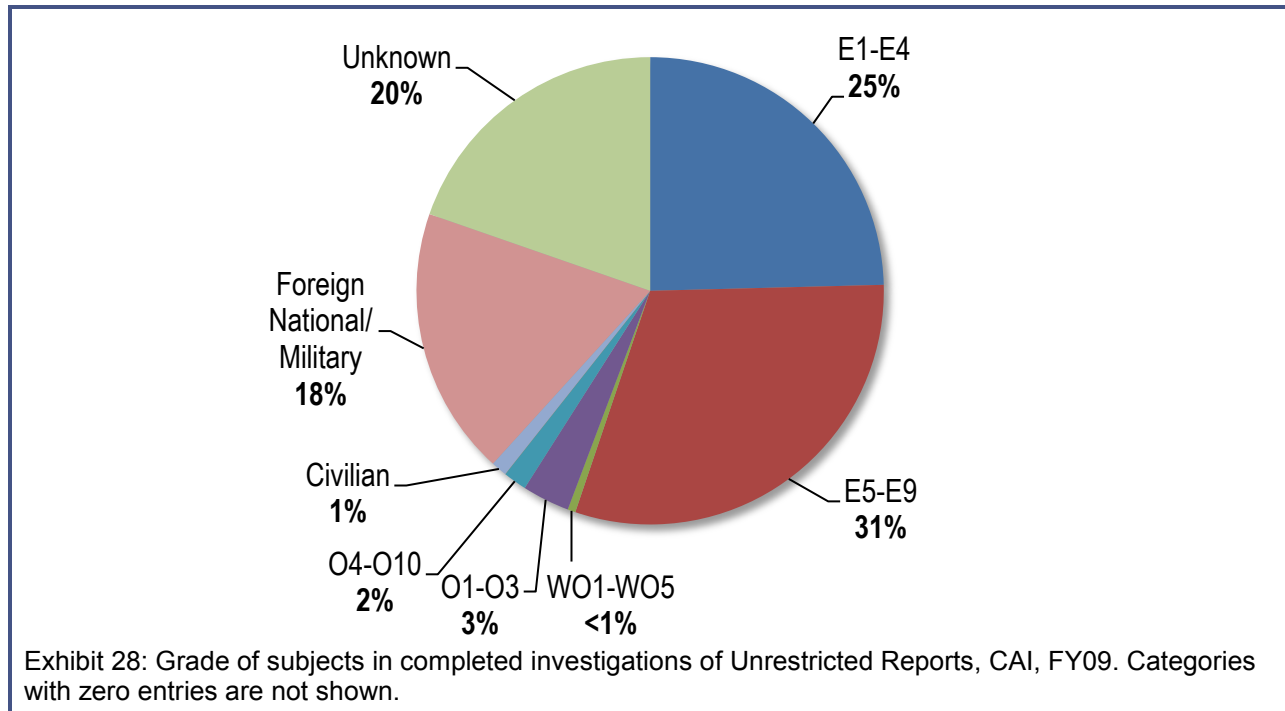


Exhibit 25: Grade of victims in completed investigations of Unrestricted Reports, CAI, FY09. Categories with zero entries are not shown.

Subjects

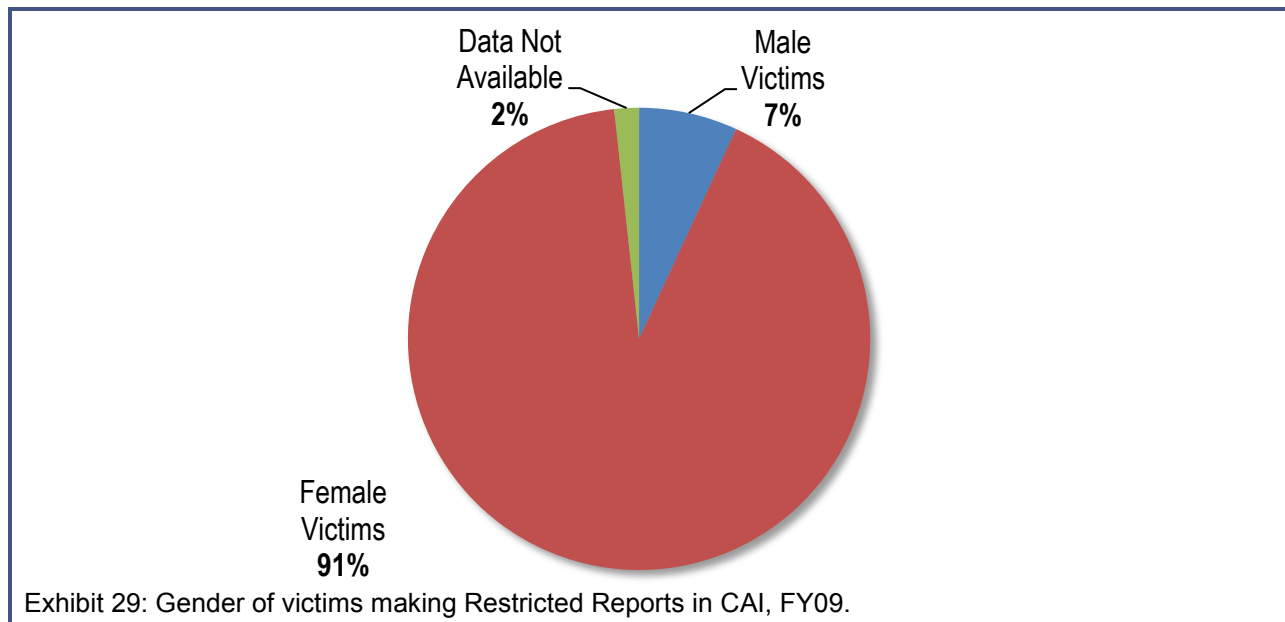
Exhibits 26, 27, and 28 show that the vast majority of subjects in Unrestricted Reports made in CAIs tend to be male, under the age of 35, and from an enlisted rank, respectively.

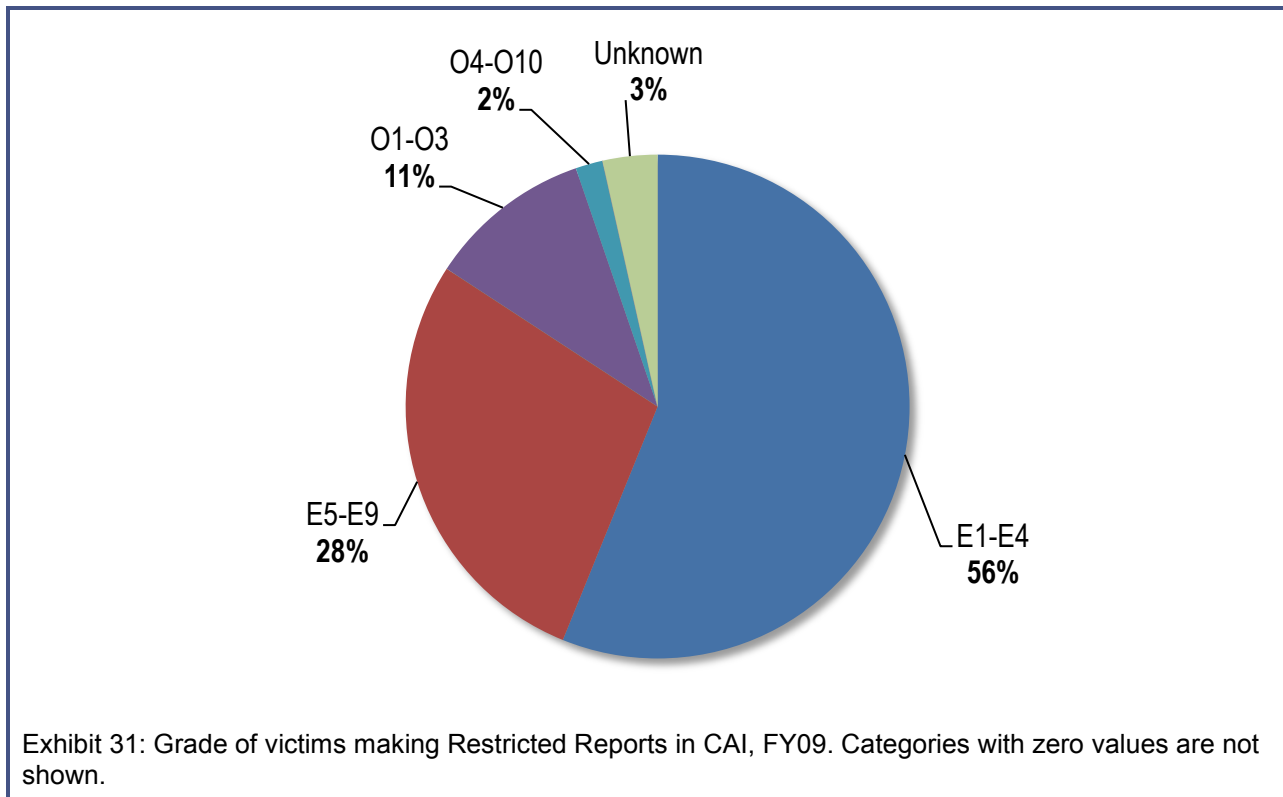
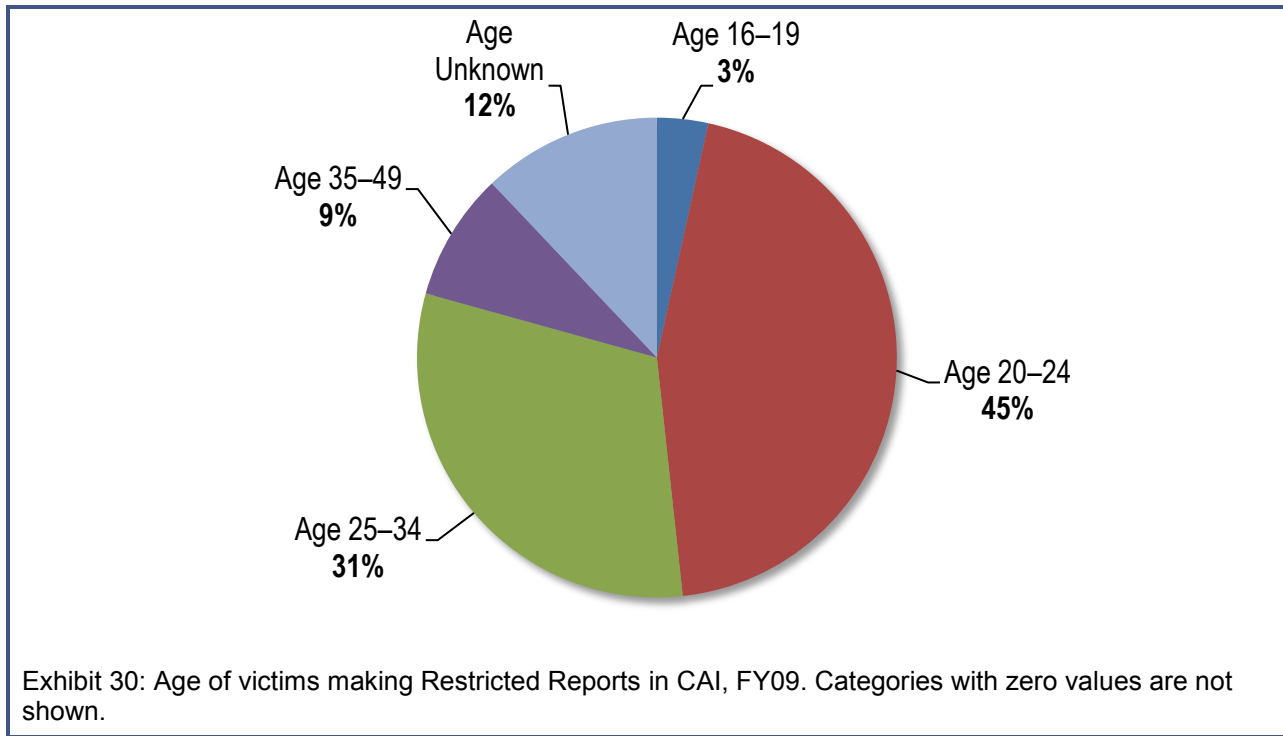




2. Demographics of Restricted Reports in Combat Areas of Interest

Exhibits 29, 30, and 31 show that the 58 victims initially making Restricted Reports of sexual assault in CAIs were mostly female, under the age of 35, and from a junior enlisted rank, respectively.





VII. WAY AHEAD FOR PROGRAM

Fiscal year (FY) 2010 will provide many opportunities for the Department to further plan, improve, and communicate about the sexual assault prevention and response (SAPR) program.

FY10 PROGRAM PLANNING

The SAPR program is considered an integral part of the Department's larger planning and review processes. The *USD P&R Strategic Plan* includes the goal of establishing a culture free of sexual assault with four objectives for FY10–12. Additionally, the impact of sexual assault prevention and response programming is to be reported in the Military Status of Forces Balanced Scorecard.

The strategic plans developed in FY09 for the SAPR program require continued refinement and implementation. Objectives must now be prioritized and broken down into action items with progress milestones and timelines for completion. To accomplish this, the Department will continue to implement the *Oversight Framework* and develop measurements and other indicators of program effectiveness. The Sexual Assault Prevention and Response Office (SAPRO) will consider software options for automating plan management and oversight tracking to better coordinate the synchronization of objectives, actions, and timelines with stakeholders. SAPRO will also host strategic planning meetings with representatives from the Military Services in FY10. Finally, as the need for expanded SAPR programming grows, SAPRO will continue to grow to meet those needs, with the expected additional billets to the office in FY10 to support greater program oversight and enhancement.

FY10 PROGRAM IMPROVEMENTS

The Department will continue developing the Defense Sexual Assault Incident Database (DSAID) and anticipates releasing a Request for Proposal (RFP) in the near future.

Also, the Department will continue to aggressively pursue standardizing response methods across the Military Services through the reissuance of both the DoD Directive 6495.01 and the DoD Instruction 6495.02 in FY10.

Although the final reports of the Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS) and the Government Accountability Office (GAO) were not expected until FY10, the Department began studying both organizations' draft program recommendations in FY09 and the first part of FY10. Once the final reports are received, the Department will consider all findings and recommendations for action. Any changes to be implemented are expected to substantially enhance the Department's abilities to prevent sexual assault, support victims, and hold subjects accountable.

FY10 PROGRAM COMMUNICATION

The Department will be communicating about the SAPR program in many ways during FY10.

Given the success of the 2009 DoD sexual assault social marketing campaign, SAPRO plans to refresh and expand its prevention messaging. The updated campaign will build on the concepts of military readiness and bystander intervention. During the summer of 2009, SAPRO and Men Can Stop Rape (MCSR) obtained feedback on the 2009 campaign from focus groups representing the Military Services, National Guard, and U.S. Coast Guard. As done previously, the updated campaign will be tested with Sexual Assault Response Coordinators (SARC), Victim Advocates (VA), commanders, and other members of the Military Services. This campaign is expected to launch in FY10.

SAPRO is currently redesigning its website to enhance its usefulness to those seeking assistance or information. The website will be broken into two separate sites. One site, www.myduty.mil, has been designed as a resource for victims of sexual assault. It will also feature advice for friends and supervisors of victims, as well as prevention information. It will debut in December 2009. The second site, www.sapr.mil, will support the needs of SARCs, VAs, and those seeking information about the SAPR program. The new websites were user tested in the summer of FY09 and www.sapr.mil is scheduled to be deployed in the second quarter of FY10.



Figure 13: Screenshots of both www.sapr.mil and www.myduty.mil websites.

SAPRO also collaborated with the Armed Forces Networks to develop four new television and radio public service announcements (PSA) as part of its social marketing campaign to encourage sexual assault reporting and prevention. These PSAs went into production in late FY09 and should be deployed into DoD communication channels in the forthcoming year.

Congress has legislated four new reports on the SAPR program for FY10, in addition to the two already produced annually (this annual report and the *DoD Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies*). In addition, the DTF-SAMS and GAO reviews of the program will require detailed analyses and responses to each organization's recommendations. In addition, the Department will address the following:

- Response to *GAO Report 10-215, Military Personnel: Additional Actions Are Needed to Strengthen DoD's and the Coast Guard's Sexual Assault Prevention and Response Programs*
- Four updates to Congress on DSAID in January, February, April, and August 2010, per Section 567 and Section 598 of PL No. 111-84, the NDAA for FY10
- Response to the Report of DTF-SAMS
- Supplemental reporting requirements legislated in Public Law Number 111-84:
 - TRICARE coverage for SAFEs
 - SAFE capabilities in combat zones and recommended improvements
 - New prevention initiatives
 - Updated training programs
 - DSAID and service data systems
 - Implementation of DTF-SAMS recommendations
 - SAPR program resourcing
 - New military protective order policy
- Response to the DoD Inspector General Report, *Efforts to Prevent Sexual Assault/Harassment Involving DoD Contractors During Contingency Operations Report Response*
- Response to the findings of the Deputy Secretary of Defense's regulatory review, which recommended the inclusion of contractor personnel in SAPR policy
- *DoD Annual Report on Sexual Harassment and Violence at the U.S. Military Service Academies: Academic Program Year 2009–2010*
- *Department of Defense Fiscal Year 2010 Annual Report on Sexual Assault in the Military.*

VIII. CONCLUSION

As part of the larger U.S. society, members of the Military Services experience the same cultural influences and attitudes that stigmatize victims and perpetuate the crime of sexual assault. That said, the American public expects more from its men and women in uniform. Consequently, the Department is taking the opportunity to build a national benchmark program to prevent sexual assault and provide unparalleled support for victims.

One sexual assault in the military is too many. The best way to address sexual assault is to prevent it. As a result, the Department is employing its most effective resource—its people—to identify situations that lead to sexual assault and to safely intervene. Achieving the necessary shift in attitudes, beliefs, and behaviors across the several generations represented in a force of more than 2 million is no small undertaking. Time and substantial resources are being dedicated specifically to this purpose. The Department stands committed to its goal of ensuring military readiness by establishing a culture free of sexual violence. This country and its men and women in uniform deserve nothing less.

APPENDIX A: DATA MATRICES

APPENDIX A: DATA MATRICES

FY09 Unrestricted Reports of Sexual Assault

Part 1

FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING MILITARY MEMBERS (BY or AGAINST Service Members)	FY09 Totals
# VICTIMS in FY09 Unrestricted Reports	2758
# Service Member victims	1956
# Non-Service Member victims	802
# Unrestricted Reports in the following categories	2516
# Service Member on Service Member	1338
# Service Member on Non-Service Member	749
# Non-Service Member on Service Member	126
# Unidentified Subject on Service Member	303
# Unrestricted Reports of sexual assault occurring	2516
# On military installation	1552
# Off military installation	920
# Unidentified location	44
# Investigations Initiated (From FY09 Unrestricted Reports)	2516
# Investigations pending completion as of 30-SEP-09	947
# Completed Investigations as of 30-SEP-09	1569
# Restricted Reports	837
# Converted from Restricted Report to Unrestricted Report*	123
# FY09 RESTRICTED REPORTS REMAINING RESTRICTED	714
B. DETAILS OF UNRESTRICTED REPORTS IN FY09	FY09 Totals
Length of time between sexual assault and Unrestricted Report	2516
# Reports made within 3 days of sexual assault	1178
# Reports made within 4 to 30 days after sexual assault	658
# Reports made within 31 to 365 days after sexual assault	494
# Reports made longer than 365 days after sexual assault	114
# Unknown	72
Time of sexual assault	2516
# Midnight to 6 am	904
# 6 am to 6 pm	468
# 6 pm to midnight	739
# Unknown	405
Day of sexual assault	2516
# Sunday	486
# Monday	234
# Tuesday	211
# Wednesday	205
# Thursday	248
# Friday	354
# Saturday	588
# Unknown	190
C. SUMMARY OF INVESTIGATIONS OF UNRESTRICTED REPORTS (INITIATED AND COMPLETED IN FY09)	FY09 Totals
# Investigations initiated and completed during FY09	1569
# Investigations with more than one victim, subject, or both	253
# SUBJECTS in the completed investigations	1698
# Your Service Member subjects	1334
# Service Member subjects from other Services	29
# Non-Service Member subjects	96
# Unidentified subjects	239
# VICTIMS in the completed investigations	1711
# Your Service Member victims	1174
# Service Member victims from other Services	485
# Non-Service Member victims	52
# Unknown	0

Unrestricted Reports of Sexual Assault Part 2

D. FINAL DISPOSITIONS FOR SUBJECTS IN FY09 INVESTIGATIONS	FY09 Totals
# SUBJECTS in FY09 completed investigations	1698
DoD Action Precluded:	414
# Unknown Subjects	118
# Unfounded by Investigative Agency	124
# Civilian or Foreign Authority Prosecutions of Persons Subject to the UCMJ	106
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	66
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	600
# Probable cause for only non-sexual assault offense	60
# Subject deceased or deserted	7
# Victim deceased	0
# Victim declined to participate in the military justice action	116
# Insufficient evidence of any offense	183
# Statute of limitations had expired	0
# Unfounded by Command	177
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	57
# Subjects pending completion of command action as of 30-SEP-09	235
# Subjects for whom command action was completed as of 30-SEP-09	449
# Evidence Supports Command Action for the following FY09 Sexual Assault Subjects	449
# Courts-martial charge preferred (Initiated)	137
# Nonjudicial punishments (Article 15 UCMJ)	201
# Administrative discharges	21
# Other administrative actions	90
E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-FY09 INVESTIGATIONS (From prior year investigations completed in FY09)	FY09 Totals
# Total Number of Investigations from CY04 to FY08 pending completion at the end of FY08	755
# Pre-FY09 Investigations STILL PENDING completion as of 30-SEP-09	40
# Pre-FY09 Investigations completed of 30-SEP-09	715
# SUBJECTS from Pre-FY09 investigations completed as of 30-SEP-09	1185
# Final FY09 DISPOSITIONS for SUBJECTS from FY04 to FY08 investigations that were completed in FY09	1185
DoD Action Precluded:	190
# Unknown Subjects	65
# Unfounded by Investigative Agency	27
# Civilian or Foreign Authority Prosecutions of persons subject to the UCMJ	73
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	25
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	397
# Probable cause for only non-sexual assault offense	72
# Subject deceased or deserted	2
# Victim deceased	0
# Victim declined to participate in the military justice action	90
# Insufficient evidence of any offense	191
# Statute of limitations had expired	2
# Unfounded by Command	3
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	37
# Subjects pending completion of command action as of 30-SEP-09	64
# Subjects for whom command action was completed as of 30-SEP-09	534
# Evidence Supports Command Action for the following Pre-FY09 Sexual Assault Subjects	534
# Courts-martial charge preferred (Initiated)	273
# Nonjudicial punishments (Article 15 UCMJ)	150
# Administrative discharges	32
# Other administrative actions	79
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	

FY09 Unrestricted Reports of Sexual Assault – Demographics
Part 1

F. REPORTED SEXUAL ASSAULTS INVOLVING SERVICE MEMBERS (BY OR AGAINST SERVICE MEMBERS) IN THE BELOW CATEGORIES FOR ALL FY09 INVESTIGATIONS (UR)	FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT - SERVICE MEMBER STATUS BY SEXUAL ASSAULT TYPE												
	Male on Female	Male on Male	Female on Male	Female on Female	Unknown on Male	Unknown on Female	FY09 Totals	FY09 INCIDENTS				FY09 Totals	
	Incident Rate (Art. 120)	Non-Consensual Sodomy (Art. 120)	Attemp. on Offense (Art. 80)	Attemp. on Female (Art. 80)	Attemp. on Male (Art. 120)	Attemp. on Unknown (Art. 120)	Aggravated Assault (Art. 120)	Wrongful Contact (Art. 120)	Wrongful Contact (Art. 120)	Wrongful Contact (Art. 120)	Attemp. on Offense (Art. 80)	Non-Consensual Sodomy (Art. 120)	Attemp. on Offense (Art. 80)
2061	173	13	17	28	224	2,516	658	58	161	510	131	4	2,516
# Service Member on Service Member	22	11	4	0	29	338	0	29	112	314	65	3	1,339
# Service Member on Non-Service Member	165	2	13	0	195	2,178	658	29	78	198	66	0	1,180
# Non-Service Member on Service Member	1	0	0	0	0	0	0	0	0	0	0	0	0
# Undispatched Subject on Service Member	41	12	0	28	222	303	0	0	0	0	0	0	0
REPORTS MADE BY FY09													
50	16	9	0	68	64	6	6	18	40	40	9	0	3,955
# Service Member (Unknown) Female	31	11	2	0	38	50	0	39	57	57	3	0	1,655
# Service Member (Unknown) Male	1	3	5	0	2	0	0	5	15	11	33	0	291
TIME OF INCIDENT BY OFFENSE TYPE FOR UNRESTRICTED REPORTS OF SEXUAL ASSAULT MADE IN FY09													
Time of sexual assault													
# All night	5	2	0	6	12	0	0	7	12	4	0	0	64
# 6 am to midday	20	8	5	36	22	5	7	17	17	1	0	0	189
# Unknown	18	3	1	0	11	18	0	3	7	2	0	0	405
Day of sexual assault													
# Sunday	6	1	0	6	12	1	1	1	1	1	0	0	48
# Monday	2	0	0	7	9	1	1	1	3	2	0	0	21
# Tuesday	4	1	0	4	9	2	1	0	3	0	0	0	15
# Wednesday	6	3	0	4	4	4	1	2	0	0	0	0	20
# Thursday	3	3	0	7	4	1	2	3	3	0	0	0	24
# Friday	6	2	0	10	8	1	0	1	6	1	0	0	24
# Saturday	15	3	0	18	11	0	0	3	6	2	0	0	69
# Unknown	18	3	0	19	11	0	0	3	6	2	0	0	109
DEMOGRAPHICS ON VICTIMS IN COMPLETE FY09 INVESTIGATIONS													
Gender of VICTIMS													
# Male	17	15	5	0	57	44	7	16	46	3	0	0	1,711
# Female	0	3	2	0	0	1	0	4	5	9	3	0	180
# Unknown	17	12	3	0	57	43	7	12	41	4	0	0	1,531
Age of VICTIMS													
# 18-19	2	1	0	0	5	4	7	16	46	7	0	0	171
# 20-24	7	2	1	0	15	12	2	2	3	0	0	0	29
# 25-34	7	4	3	0	17	13	3	14	0	0	0	0	36
# 35-49	2	1	0	0	16	3	1	3	3	0	0	0	9
# 50-64	0	0	0	0	0	0	0	0	0	0	0	0	0
# 65 and older	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	17	15	5	0	57	44	7	16	46	7	0	0	1,711
Grade of VICTIMS													
# E-1	2	3	0	0	22	28	3	9	31	4	0	0	108
# E-2	0	0	0	0	0	0	0	0	0	0	0	0	0
# WO1-AVCS	0	0	0	0	0	0	0	0	0	0	0	0	0
# O1-O3	1	2	0	0	2	0	0	0	1	0	0	0	25
# O4-O10	0	0	0	0	0	0	0	0	0	0	0	0	0
# Cadet/Probationary	6	3	2	0	23	12	2	5	0	0	0	0	6
# Cadet/Infantry	0	0	0	0	0	0	0	0	0	0	0	0	0
# Cadet/Supply	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	17	15	5	0	57	44	7	16	46	7	0	0	1,711
Service of VICTIMS													
# Army	9	8	3	0	20	20	5	6	22	1	0	0	287
# Navy	0	2	0	0	16	4	1	1	2	0	0	0	21
# Marines	0	0	0	0	1	3	0	1	3	2	0	0	13
# Coast Guard	0	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian	6	3	2	0	25	14	2	5	9	1	0	0	48
# Unknown	17	15	5	0	57	44	7	16	46	7	0	0	1,711
Status of VICTIMS													
# Active Duty (Reservist)	3	12	0	0	27	10	3	10	2	2	0	0	113
# National Guard (Active/Res)	6	3	2	0	25	14	2	5	9	1	0	0	64
# Cadet/Probationary	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	17	15	5	0	57	44	7	16	46	7	0	0	1,711

FY09 Unrestricted Reports of Sexual Assault – Demographics
Part 2

DEMOGRAPHICS OF SUBJECTS IN COMPLETED FORM INVESTIGATIONS																			
Gender of SUBJECTS																			
# Male	14	15	5	0	62	42	7	17	36	6	0	410	424	42	129	396	84	4	1698
# Unknown	2	1	2	0	10	5	1	1	2	1	0	68	47	3	6	32	11	0	192
Age of SUBJECTS																			
# 15-19	1	0	0	0	62	42	7	17	36	6	0	410	424	42	129	396	84	4	1698
# 20-24	2	2	0	0	19	10	2	2	7	2	0	113	161	14	46	102	30	2	515
# 25-29	4	3	2	0	11	7	4	3	5	3	0	36	52	14	33	40	12	0	179
# 30-34	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	3	9	1	16
# 35 and older	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	3	3	3	0	19	11	2	2	3	3	0	108	124	8	14	64	27	0	397
Grade of SUBJECTS																			
# E1-E2	6	6	2	0	12	17	5	7	13	2	0	38	53	23	38	173	14	3	429
# E3-E4	1	0	0	0	0	0	0	0	1	0	0	4	3	1	0	1	2	0	7
# WO1-WO5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# O1-O3	0	0	0	0	2	1	0	0	1	0	0	6	4	1	2	8	0	0	25
# O4-O10	0	0	0	0	2	1	0	0	1	0	0	6	3	0	1	7	0	0	23
# Captain/lieutenant	0	0	0	0	0	0	0	0	0	0	0	3	0	0	4	11	0	0	15
# Major/lieutenant colonel	0	0	0	0	0	0	0	0	0	0	0	3	0	0	7	23	0	0	41
# Colonel	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Service of SUBJECTS																			
# Army	19	15	5	0	62	42	7	17	36	6	0	410	424	42	129	396	84	4	1698
# Navy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Air Force	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Marine Corps	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Coast Guard	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
State of SUBJECTS																			
# Unknown	19	15	5	0	62	42	7	17	36	6	0	410	424	42	129	396	84	4	1698
# Alaska	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Hawaii	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Puerto Rico	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# National Guard (Activated)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# National Guard (Not Activated)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Coast/lieutenant	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

FY09 Restricted Reports of Sexual Assault Part 1

FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	FY09 TOTALS*
# Service Member VICTIMS in Restricted Reports	834
# Reported sexual assaults AGAINST Service Member victims in the following categories	834
# Service Member on Service Member	427
# Non-Service Member on Service Member	123
# Unidentified subject on Service Member	284
# Reported sexual assaults occurring	834
# On military installation	366
# Off military installation	444
# Unidentified location	24
B. INCIDENT DETAILS	FY09 TOTALS*
Length of time between sexual assault and Restricted Report	834
# Reports made within 3 days of sexual assault	344
# Reports made within 4 to 30 days after sexual assault	180
# Reports made within 31 to 365 days after sexual assault	162
# Reports made longer than 365 days after sexual assault	88
# Unknown	60
Time of sexual assault incident	834
# Midnight to 6 am	287
# 6 am to 6 pm	110
# 6 pm to midnight	288
# Unknown	149
Day of sexual assault incident	834
# Sunday	127
# Monday	72
# Tuesday	52
# Wednesday	62
# Thursday	62
# Friday	124
# Saturday	180
# Unknown	155
C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	FY09 TOTALS*
# VICTIMS	834
# Army victims	327
# Navy victims	171
# Marines victims	33
# Air Force victims	280
# Coast Guard	0
# Unknown	23

FY09 Restricted Reports of Sexual Assault Part 2

D. DEMOGRAPHICS FOR FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 TOTALS*
Gender of VICTIMS	834
# Male	93
# Female	723
# Unknown	18
Age of VICTIMS	834
# 16-19	201
# 20-24	384
# 25-34	164
# 35-49	27
# 50-64	1
# 65 and older	0
# Unknown	57
Grade of VICTIMS	834
# E1-E4	612
# E5-E9	111
# WO1-WO5	3
# O1-O3	34
# O4-O10	7
# Cadet/Midshipman	26
# Civilian	0
# Foreign national/military	0
# Unknown	41
Status of VICTIMS	834
# Active Duty	711
# Reserve (Activated)	19
# National Guard (Activated)	52
# Civilian	0
# Cadet/Midshipman	26
# Unknown	26
<p>*Note: There were a total of 837 Restricted Reports during FY09, however the US Marine Corps only provided data on the cases that remained Restricted. As a result, the Department can only provide demographics on 834 of the 837 Restricted Reports.</p>	

FY09 Support Services for Victims of Sexual Assault

FY09 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made (current or prior quarters).</i>	
A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	2,638
# Medical	1,007
# Counseling	1,109
# Legal	522
# CIVILIAN facilities (Referred by DoD)	966
# Medical	374
# Counseling	442
# Legal	150
# Cases where SAFEs were conducted	399
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	18
# Military Victims making an UR that received service referrals for an incident that occurred prior to military service	132
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	771
# Medical	340
# Counseling	399
# Legal	32
# CIVILIAN facilities (Referred by DoD)	211
# Medical	78
# Counseling	124
# Legal	9
# Cases where SAFEs were conducted	158
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims making a RR that received service referrals for an incident that occurred prior to military service	84
C. SUPPORT SERVICE REFERRALS TO NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	472
# Medical	159
# Counseling	223
# Legal	90
# CIVILIAN facilities (Referred by DoD)	512
# Medical	136
# Counseling	277
# Legal	99
# Cases where SAFEs were conducted	123
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	3

FY09 Unrestricted Reports of Sexual Assault Combat Areas of Interest Part 1

COMBAT AREAS OF INTEREST - FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY	
A. FY09 COMBAT AREAS OF INTEREST (CAI) REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING MILITARY ME	FY09 Totals
# VICTIMS in FY09 Unrestricted Reports in Combat Areas of Interest	259
# Service Member victims	249
# Non-Service Member victims	10
# Unrestricted Reports in the following categories	224
# Service Member on Service Member	131
# Service Member on Non-Service Member	7
# Non-Service Member on Service Member	40
# Unidentified Subject on Service Member	46
# Unrestricted Reports of sexual assault occurring	224
# On military installation	209
# Off military installation	14
# Unidentified location	1
# Investigations (From FY09 Unrestricted Reports)	224
# Pending completion as of 30-SEP-10	50
# Completed as of 30-SEP-10	174
# Restricted Reports in Combat Areas of Interest	58
# Converted from Restricted Report to Unrestricted Report*	3
# FY09 RESTRICTED REPORTS REMAINING RESTRICTED	55
B. FY09 DETAILS OF UNRESTRICTED REPORTS IN COMBAT AREAS OF INTEREST	FY09 Totals
Length of time between sexual assault and Unrestricted Report	224
# Reports made within 3 days of sexual assault	116
# Reports made within 4 to 30 days after sexual assault	54
# Reports made within 31 to 365 days after sexual assault	41
# Reports made longer than 365 days after sexual assault	11
# Unknown	2
Time of sexual assault	224
# Midnight to 6 am	53
# 6 am to 6 pm	46
# 6 pm to midnight	67
# Unknown	58
Day of sexual assault	224
# Sunday	28
# Monday	19
# Tuesday	31
# Wednesday	25
# Thursday	26
# Friday	14
# Saturday	24
# Unknown	57
C. SUMMARY OF INVESTIGATIONS OF UNRESTRICTED REPORTS (INITIATED AND COMPLETED IN FY09) IN CAI	FY09 Totals
# Investigations initiated and completed during FY09	174
# Investigations with more than one victim, subject, or both	16
# SUBJECTS in the completed investigations	183
# Your Service Member subjects	109
# Service Member subjects from other Services	3
# Non-Service Member subjects	36
# Unidentified subjects	35
# VICTIMS in the completed investigations	189
# Your Service Member victims	179
# Service Member victims from other Services	4
# Non-Service Member victims	6
# Unknown	0

FY09 Unrestricted Reports of Sexual Assault Combat Areas of Interest Part 2

D. FINAL DISPOSITIONS FOR SUBJECTS IN FY09 INVESTIGATIONS IN COMBAT AREAS OF INTEREST	FY09 Totals
# SUBJECTS in FY09 completed investigations	183
DoD Action Precluded:	44
# Unknown Subjects	20
# Unfounded by Investigative Agency	11
# Civilian or Foreign Authority Prosecutions of Persons Subject to the UCMJ	1
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	12
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	50
# Probable cause for only non-sexual assault offense	3
# Subject deceased or deserted	1
# Victim deceased	0
# Victim declined to participate in the military justice action	9
# Insufficient evidence of any offense	11
# Statute of limitations had expired	0
# Unfounded by Command	20
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	6
# Subjects pending completion of command action as of 30-SEP-09	32
# Subjects for whom command action was completed as of 30-SEP-10	57
# Evidence Supports Command Action for the following FY09 Sexual Assault Subjects	60
# Courts-martial charge preferred (Initiated)	10
# Nonjudicial punishments (Article 15 UCMJ)	24
# Administrative discharges	1
# Other administrative actions	25
E. FINAL DISPOSITIONS FOR PRE-FY09 SUBJECTS IN COMBAT AREAS OF INTEREST (From investigations opened prior to FY09 that were completed in FY09)	FY09 Totals
# Total Number of Investigations from CY04 to FY09 pending completion at the end of FY09	43
# Pre-FY09 Investigations STILL PENDING completion as of 30-SEP-10	1
# Pre-FY09 Investigations completed of 30-SEP-10	42
# SUBJECTS from Pre-FY09 investigations completed as of 30-SEP-10	97
# Final FY09 DISPOSITIONS for SUBJECTS from FY04 to FY09 reports and investigations that were completed in FY09	97
DoD Action Precluded:	4
# Unknown Subjects	3
# Unfounded by Investigative Agency	0
# Civilian or Foreign Authority Prosecutions of persons subject to the UCMJ	0
# Civilian or Foreign Authority Prosecutions of Persons NOT Subject to the UCMJ	1
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	34
# Probable cause for only non-sexual assault offense	0
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	0
# Insufficient evidence of any offense	16
# Statute of limitations had expired	0
# Unfounded by Command	17
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	1
# Subjects pending completion of command action as of 30-SEP-10	1
# Subjects for whom command action was completed as of 30-SEP-10	58
# Evidence Supports Command Action for the following Pre-FY09 Sexual Assault Subjects	59
# Courts-martial charge preferred (Initiated)	24
# Nonjudicial punishments (Article 15 UCMJ)	20
# Administrative discharges	0
# Other administrative actions	15
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	

**FY09 Restricted Reports of Sexual Assault
Combat Areas of Interest
Part 1**

COMBAT AREAS OF INTEREST - FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 COMBAT AREAS OF INTEREST - RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	FY09 TOTALS
# Service Member VICTIMS in Restricted Reports	58
# Reported sexual assaults AGAINST Service Member victims in the following categories	58
# Service Member on Service Member	27
# Non-Service Member on Service Member	1
# Unidentified subject on Service Member	30
# Reported sexual assaults occurring	58
# On military installation	46
# Off military installation	10
# Unidentified location	2
B. FY09 INCIDENT DETAILS	FY09 TOTALS
Length of time between sexual assault and Restricted Report	58
# Reports made within 3 days of sexual assault	16
# Reports made within 4 to 30 days after sexual assault	6
# Reports made within 31 to 365 days after sexual assault	20
# Reports made longer than 365 days after sexual assault	11
# Unknown	5
Time of sexual assault incident	58
# Midnight to 6 am	17
# 6 am to 6 pm	14
# 6 pm to midnight	18
# Unknown	9
Day of sexual assault incident	58
# Sunday	4
# Monday	8
# Tuesday	10
# Wednesday	7
# Thursday	5
# Friday	5
# Saturday	8
# Unknown	11
C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	FY09 TOTALS
# VICTIMS	58
# Army victims	39
# Navy victims	2
# Marines victims	0
# Air Force victims	15
# Coast Guard	0
# Unknown	2

**FY09 Restricted Reports of Sexual Assault
 Combat Areas of Interest
 Part 2**

D. DEMOGRAPHICS FOR FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 TOTALS
Gender of VICTIMS	58
# Male	4
# Female	53
# Unknown	1
Age of VICTIMS	58
# 16-19	2
# 20-24	26
# 25-34	18
# 35-49	5
# 50-64	0
# 65 and older	0
# Unknown	7
Grade of VICTIMS	58
# E1-E4	32
# E5-E9	16
# WO1-WO5	0
# O1-O3	6
# O4-O10	1
# Cadet/Midshipman	0
# Civilian	0
# Foreign national/military	0
# Unknown	3
Status of VICTIMS	58
# Active Duty	47
# Reserve (Activated)	0
# National Guard (Activated)	8
# Civilian	0
# Cadet/Midshipman	0
# Unknown	3

**FY09 Restricted Reports of Sexual Assault
 Combat Areas of Interest – Location of Restricted Reports**

COMBAT AREAS OF INTEREST - LOCATION OF FY09 RESTRICTED REPORTS	
E. TOTAL # FY09 COMBAT AREAS OF INTEREST -RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 Totals
TOTAL RESTRICTED ASSAULTS IN COMBAT AREAS OF INTEREST	58
Arabian Peninsula, Iraq & Red Sea	
Bahrain	1
Iraq	26
Jordan	0
Lebanon	0
Syria	0
Yemen	0
Djibouti	1
Egypt	0
Kuwait	11
Oman	0
Qatar	10
Saudi Arabia	0
United Arab Emirates	0
South Asia	
Iran	0
Pakistan	0
Afghanistan	8
Other	
Kyrgyzstan	1

**FY09 Support Services for Victims of Sexual Assault
Combat Areas of Interest**

COMBAT AREAS OF INTEREST: FY09 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made (current or prior quarters).</i>	
A. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	81
# Medical	37
# Counseling	31
# Legal	13
# CIVILIAN facilities (Referred by DoD)	3
# Medical	0
# Counseling	1
# Legal	2
# Cases where SAFEs were conducted	11
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims in UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS FROM RESTRICTED REPORTS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	35
# Medical	17
# Counseling	18
# Legal	0
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	6
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	1
# Military Victims in RR that received service referrals for an incident that occurred prior to military service	0
C. SUPPORT SERVICE REFERRALS FOR NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	2
# Medical	1
# Counseling	0
# Legal	1
# CIVILIAN facilities (Referred by DoD)	1
# Medical	0
# Counseling	1
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0

**APPENDIX B:
LIST OF ACRONYMS**

APPENDIX B: LIST OF ACRONYMS

AAU	Association of American Universities
AFI	Air Force Instruction
AFOSI	Air Force Office of Special Investigations
AFRICOM	U.S. Africa Command
AFRTS	Armed Forces Radio and Television Service
ALMAR	All-Marine
AOR	Area of Responsibility
APY	Academic Program Year
CAI	Combat Area of Interest
CENTCOM	U.S. Central Command
CID	Criminal Investigations Command
CNO	Chief of Naval Operations
COCOM	Combatant Command
CY	Calendar Year
DCoE	Defense Center of Excellence
DD	Department of Defense (Form)
DKO	Defense Knowledge Online
DHS	U.S. Department of Homeland Security
DMDC	Defense Manpower and Data Center
DMEO	Office of Diversity Management and Equal Opportunity
DoD	U.S. Department of Defense
DoDD	Department of Defense Directive
DoDI	Department of Defense Instruction
DOJ	U.S. Department of Justice
DSAID	Defense Sexual Assault Incident Database
DSARC	Deployable Sexual Assault Response Coordinator
DTF-SAMS	Defense Task Force on Sexual Assault in the Military Services
DTM	Directive-Type Memorandum
DUSD	Deputy Under Secretary of Defense

DUSD-P	Secretary of Defense for Plans
DVA	U.S. Department of Veterans Affairs
EUCOM	U.S. European Command
FAP	Family Advocacy Program
FY	Fiscal Year
GAO	Government Accountability Office
HA	Health Affairs
HASC	House Armed Services Committee
HOCR	House Committee on Oversight and Government Reform
I. A.M.	Intervene Act Motivate
IG	Inspector General
JA	Judge Advocate
JAG	Judge Advocate General
JCS	Joint Chiefs of Staff
JP	Joint Publication
JTF-SAPR	Joint Task Force Sexual Assault Prevention and Response
LOD	Line of Duty
M&RA	Manpower and Reserve Affairs
MADD	Mothers Against Drunk Driving
MCIO	Military Criminal Investigative Organization
MCM	Manual for Courts-Martial
MCSR	Men Can Stop Rape
MOU	Memorandum of Understanding
MSA	Military Service Academy
NCIS	Naval Criminal Investigative Service
NDAA	National Defense Authorization Act
NGB	National Guard Bureau
No.	Number
NOVA	National Organization for Victim Assistance
NSVRC	National Sexual Violence Resource Center

OASD	Office of the Assistant Secretary of Defense
OCONUS	Outside the Continental United States
OGC	Office of the General Counsel
OIG	Office of the Inspector General
OSD	Office of the Secretary of Defense
OTJAG	Office of the Judge Advocate General
OVC	Office for Victims of Crime, U.S. Department of Justice
OVW	Office on Violence Against Women, U.S. Department of Justice
P&R	Personnel and Readiness
PACOM	U.S. Pacific Command
PAT	Policy Assistance Team
PCAR	Pennsylvania Coalition Against Rape
PL	Public Law
PSA	Public Service Announcement
QDR	Quadrennial Defense Review
RAINN	Rape, Abuse, and Incest National Network
RCM	Rules for Court Martial
RFP	Request for Proposal
SAAC	Sexual Assault Advisory Council
SAAM	Sexual Assault Awareness Month
SAFE	Sexual Assault Forensic Examination
SAPR	Sexual Assault Prevention and Response
SAPRO	Sexual Assault Prevention and Response Office
SARC	Sexual Assault Response Coordinator
SART	Sexual Assault Response Team
SCREAM	Students Challenging Realities and Educating Against Myths
SHARP	Sexual Harassment and Assault Response and Prevention
SME	Subject Matter Expert
SOCOM	U.S. Special Operations Command
SOUTHCOM	U.S. Southern Command

STRATCOM	U.S. Strategic Command
SVU	Special Victims' Unit
TRANSCOM	U.S. Transportation Command
UCC	Unified Combatant Command
UCMJ	Uniform Code of Military Justice
USA	U.S. Army
USACID	U.S. Army Criminal Investigative Command
USAF	U.S. Air Force
USAFA	U.S. Air Force Academy
USD	Under Secretary of Defense
USMA	U.S. Military Academy
USMC	U.S. Marine Corps
USN	U.S. Navy
USSOCOM	U.S. Special Operations Command
UVA	Uniformed Victim Advocates
VA	Victim Advocates
VWAP	Victim Witness Assistance Program

**APPENDIX C:
LAWS GOVERNING THE ANNUAL REPORT
ON SEXUAL ASSAULT IN THE MILITARY**

**APPENDIX C: LAWS GOVERNING THE DEPARTMENT OF DEFENSE
ANNUAL REPORT ON SEXUAL ASSAULT IN THE MILITARY****PUBLIC LAW 108-375****Sec. 577. Department Of Defense Policy And Procedures On Prevention
And Response To Sexual Assaults Involving Members Of The Armed Forces.****(f) Annual Report on Sexual Assaults.—**

(1) Not later than January 15 of each year, the Secretary of each military department shall submit to the Secretary of Defense a report on the sexual assaults involving members of the Armed Forces under the jurisdiction of that Secretary during the preceding year. In the case of the Secretary of the Navy, separate reports shall be prepared for the Navy and for the Marine Corps.

(2) Each report on an Armed Force under paragraph (1) shall contain the following:

(A) The number of sexual assaults against members of the Armed Force, and the number of sexual assaults by members of the Armed Force, that were reported to military officials during the year covered by such report, and the number of the cases so reported that were substantiated.

(B) A synopsis of, and the disciplinary action taken in, each substantiated case.

(C) The policies, procedures, and processes implemented by the Secretary concerned during the year covered by such report in response to incidents of sexual assault involving members of the Armed Force concerned.

(D) A plan for the actions that are to be taken in the year following the year covered by such report on the prevention of and response to sexual assault involving members of the Armed Forces concerned.

(3) Each report under paragraph (1) for any year after 2005 shall include an assessment by the Secretary of the military department submitting the report of the implementation during the preceding fiscal year of the policies and procedures of such department on the prevention of and response to sexual assaults involving members of the Armed Forces in order to determine the effectiveness of such policies and procedures during such fiscal year in providing an appropriate response to such sexual assaults.

(4) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives each report submitted to the Secretary under this subsection, together with the comments of the Secretary on the report. The Secretary shall submit each such report not later than March 15 of the year following the year covered by the report.

(5) For the report under this subsection covering 2004, the applicable date under paragraph (1) is April 1, 2005, and the applicable date under paragraph (4) is May 1, 2005.

PUBLIC LAW 109-163**Sec. 596. Improvement To Department Of Defense Capacity To Respond To Sexual Assault Affecting Members Of The Armed Forces.**

(c) Additional Matters for Annual Report on Sexual Assaults.--Section 577(f)(2) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 1927; 10 U.S.C. 113 note) is amended--

(1) by redesignating subparagraph (D) as subparagraph (G); and

(2) by inserting after subparagraph (C) the following new subparagraphs:

“(D) A description of the implementation during the year covered by the report of the tracking system implemented pursuant to section 596(a) of the National Defense Authorization Act for Fiscal Year 2006, including information collected on cases during that year in which care to a victim of rape or sexual assault was hindered by the lack of availability of a rape kit or other needed supplies or by the lack of timely access to appropriate laboratory testing resources.

“(E) A description of the implementation during the year covered by the report of the accessibility plan implemented pursuant to section 596(b) of the National Defense Authorization Act for Fiscal Year 2006, including a description of the steps taken during that year to provide that trained personnel, appropriate supplies, and transportation resources are accessible to deployed units in order to provide an appropriate and timely response in any case of reported sexual assault in a deployed unit.

“(F) A description of the required supply inventory, location, accessibility, and availability of supplies, trained personnel, and transportation resources needed, and in fact in place, in order to be able to provide an appropriate and timely response in any case of reported sexual assault in a deployed unit.”

PUBLIC LAW 109-364**Sec. 583. Inclusion in Annual Department of Defense Report on Sexual Assaults of Information on Results of Disciplinary Actions.**

Section 577(f)(2)(B) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 1927) is amended to read as follows:

“(B) A synopsis of each such substantiated case and, for each such case, the disciplinary action taken in the case, including the type of disciplinary or administrative sanction imposed, if any.”

Uniform Code of Military Justice**Subchapter X. Punitive Articles**

Section 920. Article 120. Rape and carnal knowledge

(A) Any person subject to this chapter who commits an act of sexual intercourse with a female not his wife, by force and without consent, is guilty of rape and shall be punished by death or such other punishment as a court-martial may direct.

(B) Any person subject to this chapter who, under circumstances not amounting to rape, commits an act of sexual intercourse with a female not his wife who has not

attained the age of sixteen years, is guilty of carnal knowledge and shall be punished as a court-martial may direct.

(C) Penetration, however slight, is sufficient to complete either of these offenses.

Uniform Code of Military Justice

Subchapter X. Punitive Articles

Section 925. Article 125. Sodomy

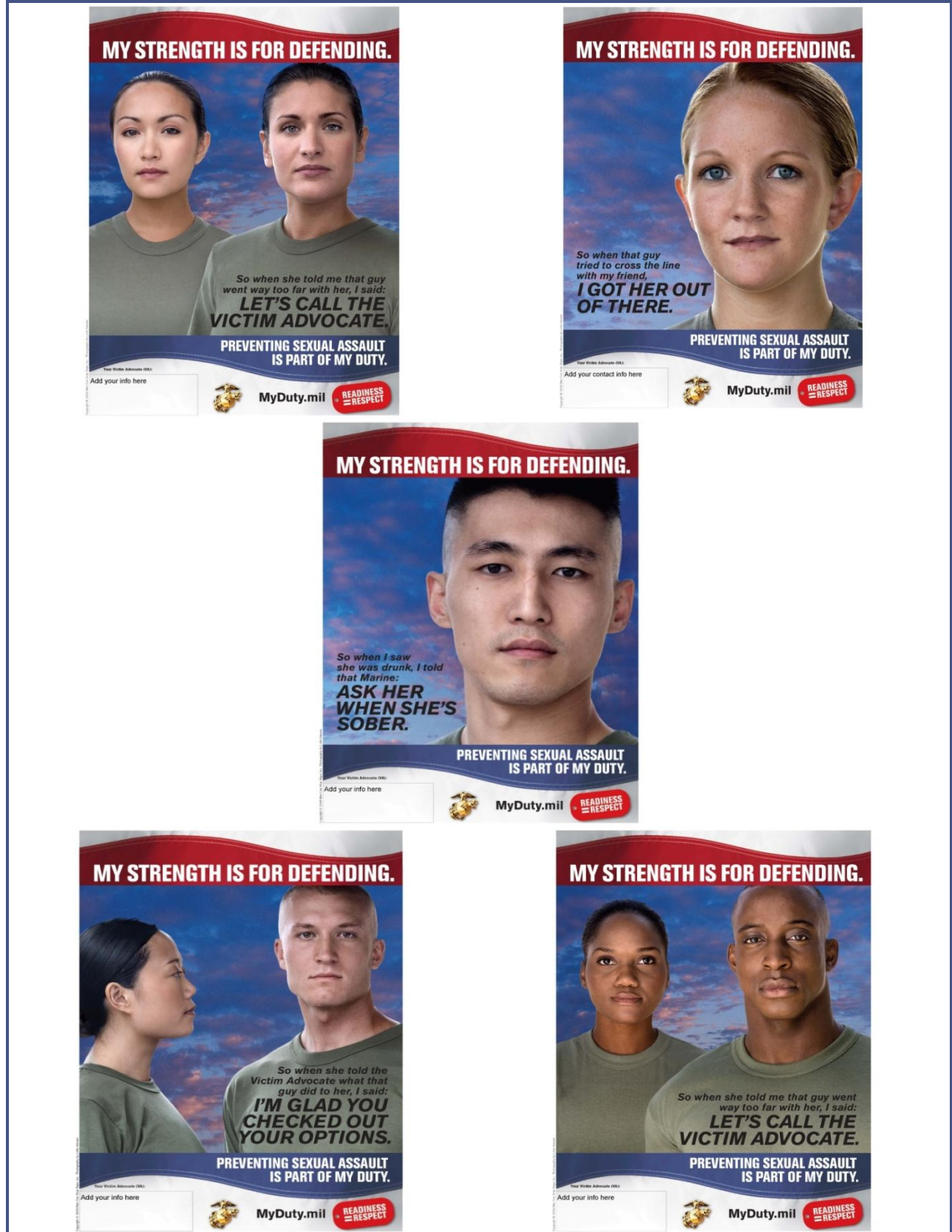
(a) Any person subject to this chapter who engages in unnatural carnal copulation with another person of the same or opposite sex or with an animal is guilty of sodomy. Penetration, however slight, is sufficient to complete the offense.

(b) Any person found guilty of sodomy shall be punished as a court-martial may direct.

**APPENDIX D:
DOD SOCIAL MARKETING CAMPAIGN POSTERS**

APPENDIX D: DEPARTMENT OF DEFENSE SOCIAL MARKETING CAMPAIGN POSTERS









**APPENDIX E: DIRECTIVE-TYPE MEMORANDUM 09-006
REVISING COMMAND NOTIFICATION REQUIREMENTS TO
DISPEL STIGMA IN PROVIDING MENTAL HEALTH CARE TO
MILITARY PERSONNEL**

**APPENDIX E: DIRECTIVE-TYPE MEMORANDUM 09-006: *REVISING
COMMAND NOTIFICATION REQUIREMENTS TO DISPEL STIGMA
IN PROVIDING MENTAL HEALTH CARE TO MILITARY
PERSONNEL***



PERSONNEL AND
READINESS

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

JUL 2 2009

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DoD FIELD ACTIVITIES

SUBJECT: Directive-Type Memorandum 09-006—Revising Command Notification
Requirements to Dispel Stigma in Providing Mental Health Care to Military
Personnel

References: See Attachment 1

Purpose. In accordance with the authority in Department of Defense (DoD) Directive 5124.02 (Reference (a)), this Directive-Type Memorandum (DTM):

- Establishes policy to act on the conclusions of the Department of Defense Task Force on Mental Health Report (reference (b)), which finds that the current low thresholds for notifying commanders of Service members' involvement in mental health care result in members not seeking treatment, yet continuing in their operational roles, while their problems grow worse.
- Provides more specific standards for health care providers regarding when to notify commanders of the involvement of military members with mental health services pursuant to paragraph C7.11.1. of DoD 6025.18-R (reference (c)) and parts 160 and 164 of Title 45, Code of Federal Regulations (reference (d)).
- Provides more explicit balance between patient confidentiality rights and the commander's right to know for operation and risk management decisions.

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- Reduces stigma through notification standards parallel to those for reporting any other health issue.
- Is effective immediately. This DTM shall become a new DoD Instruction within 180 days.

Applicability. This DTM:

- Applies to the Office of the Secretary of Defense, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within DoD.
- Does not affect health care provider disclosures to command authorities when a member obtains mental health services other than those listed in attachment 2.

Policy. It is DoD policy that:

- Health care providers shall balance notification of a member's commander with operational risk management, as with any other health concern.
- In making a disclosure pursuant to the circumstances in attachment 2, health care providers shall provide the minimum amount of information to satisfy the purpose of the disclosure. In general, this shall consist of the diagnosis, a description of the treatment prescribed or planned, impact on duty or mission, recommended duty restrictions, and the prognosis.

Responsibilities. Medical treatment facility commanders will assure providers are aware of command notification policies and the requirement for compliance.

Procedures. See attachment 2.

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Releasability. UNLIMITED. This DTM is approved for public release and is available on the Internet from the DoD Issuances Web site at <http://www.dtic.mil/whs/directives>.



Gail H. McGinn
Deputy Under Secretary of Defense (Plans)
Performing the Duties of
the Under Secretary of Defense
(Personnel and Readiness)

Attachments:
As stated

DTM 09-006

ATTACHMENT 1REFERENCES

- (a) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R)), June 23, 2008
- (b) Section 5.1.4. of the Department of Defense Task Force on Mental Health Report, "An Achievable Vision: Report of the Department of Defense Task Force on Mental Health Final Report," June 2007¹
- (c) DoD 6025.18-R, "DoD Health Information Privacy Regulation," January 24, 2003
- (d) Parts 160 and 164 of title 45, Code of Federal Regulations
- (e) DoD Directive 6490.1, "Mental Health Evaluations of the Members of the Armed Forces," October 1, 1997
- (f) DoD Instruction 6490.4, "Requirements for Mental Health Evaluations of Members of the Armed Forces," August 28, 1997
- (g) DoD Instruction 6400.06, "Domestic Abuse Involving Military and Certain Affiliated Personnel," August 21, 2007
- (h) DoD Instruction 5210.42, "Nuclear Weapon Personnel Reliability Program (PRP)," October 16, 2006
- (i) DoD Instruction 1010.6, "Rehabilitation and Referral Services for Alcohol and Drug Abusers," March 13, 1985

¹ Available through the Internet at <http://www.ha.osd.mil/dhb/mhtf/MHTF-Report-Final.pdf>.

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ATTACHMENT 2PROCEDURES1. HEALTH-CARE PROVIDERS. Health care providers shall:

a. Notify a commander when a member presents with a mental health condition in these circumstances:

(1) Harm to Self. The provider believes there is a serious risk of self-harm by the member.

(2) Harm to Others. The provider believes there is a serious risk of harm to others. This includes any disclosures concerning child abuse or domestic violence consistent with Department of Defense (DoD) Instruction 6400.06 (reference (g)).

(3) Harm to Mission. The provider believes there is a serious risk of harm to a specific military operational mission. Such serious risk may include disorders that significantly impact impulsivity, insight, and judgment.

(4) Special Personnel. The member is in the Personnel Reliability Program (DoD Instruction 5210.42 (reference (h))) or is in a position that has been pre-identified by Service regulation or the command as having mission responsibilities of such potential sensitivity or urgency that normal notification standards would significantly risk mission accomplishment.

(5) Inpatient Care. The member is admitted or discharged from any inpatient mental health or substance abuse treatment facility, as these are considered critical points in treatment of Active Duty members in mental health systems and support nationally recognized patient safety standards.

(6) Acute Medical Conditions Interfering With Duty. The member is experiencing an acute mental health condition or acute medical regimen that impairs the member's ability to perform his or her duties.

(7) Substance Abuse Treatment Program. The member has entered into a formal outpatient or inpatient treatment program consistent with DoD Instruction 1010.6 (reference (i)) for the treatment of substance abuse or dependence. Those who seek alcohol-use education, who have not had an alcohol referral incident (such as arrest for driving under the influence) do not require command notification unless they also choose

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to be formally evaluated and are diagnosed with a substance abuse or dependence disorder.

(8) Command-Directed Mental Health Evaluation. The mental health services are obtained as a result of a command-directed mental health evaluation consistent with reference (f).

b. When commander notification is required, provide the minimum amount of information to satisfy the purpose of the disclosure.

c. Maintain records of disclosure of protected health information consistent with chapter 13 of reference (c).

2. COMMANDER DESIGNATION. Notification to a commander pursuant to this DTM shall be to the commander personally or to another person specifically designated in writing by the commander for this purpose.

3. COMMANDERS. Commanders shall protect information provided pursuant to this DTM, as they should with any other health information. Information provided shall be restricted to personnel with a need for the information. Such personnel shall also be accountable for protecting the information. Commanders must also reduce stigma through positive regard for those who seek mental health assistance to restore and maintain their mission readiness, just as they would view someone seeking treatment for any other medical issue.

LIST OF COORDINATING OFFICIALS FOR DTM 09-006
"Revising Command Notification Requirements to Dispel Stigma in Providing Mental Health
Care to Military Personnel"

Director of Program Analysis and Evaluation	E. N. Gardner, LtGen, USMC Principal Deputy	April 17, 2009
General Counsel, DoD	Paul S. Koffsky Deputy for Personnel and Health Policy	April 14, 2009
Inspector General, DoD	Donald M. Horstman Deputy for Policy and Oversight	April 14, 2009
Director of Administration and Management	Craig H. Glassner, Director, Executive Services Directorate for Michael L. Rhodes, Acting	April 28, 2009
Under Secretary of Defense for Intelligence	John C. Koziol Deputy Under Secretary of Defense for Joint and Coalition Warfighter Support	May 7, 2009
Assistant Secretary of Defense for Legislative Affairs	No response	
Assistant to the Secretary of Defense for Intelligence Oversight	William Dugan	April 2, 2009
Secretary of the Army	Danny Pummill Director of Operations, Office of the Assistant Secretary (Manpower and Reserve Affairs) Performing the Duties of Principal Duty Assistant Secretary (Manpower and Reserve Affairs)	April 23, 2009
Secretary of the Navy	Harvey C. Barnum, Jr., Acting Assistant Secretary (Manpower and Reserve Affairs)	April 27, 2009
Secretary of the Air Force	Ronald A. Winter, Acting Assistant Secretary (Manpower and Reserve Affairs)	May 1, 2009
Chairman of the Joint Chiefs of Staff	No response	

**APPENDIX F:
MEMORANDUM ON MENTAL HEALTH
COUNSELING AND TREATMENT AND
SECURITY CLEARANCES**

**APPENDIX F: MEMORANDUM ON MENTAL HEALTH COUNSELING
AND TREATMENT AND SECURITY CLEARANCES**

OFFICE OF THE SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1000

NOV 20 2009

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF
DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF
DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

Subject: Mental Health Counseling and Treatment and Security Clearances


In April 2008, we issued a joint memorandum to all Department of Defense (DoD) personnel reaffirming the Department's strong endorsement that personnel should "seek professional help to address all health-related concerns, either mental or physical." The purpose of this memorandum is to reiterate that counseling and treatment for mental or physical health, in and of itself, is not a reason to deny or revoke a security clearance. Indeed, many types of mental health counseling and treatment, to include treatment which results from being the victim of a crime, such as rape or sexual assault, are usually not a concern with regard to security clearances.

Unfortunately, DoD civilian personnel and Service members still sometimes avoid or delay seeking mental health counseling or treatment because they are concerned that doing so will jeopardize their security clearance. Some feel embarrassed that others will find out about their mental health problems or fear that seeking help now will cause personnel security officials and commanders to question their judgment or stability later. This concern reflects a misunderstanding of the reason personnel are asked about their mental health history on security clearance applications. Personnel security officials are responsible for identifying applicants with mental or personality disorders which are likely to cause behavior that endangers security. In doing so, they must also distinguish this group of applicants from those cases where an individual's reasons for seeking mental health counseling and treatment do not constitute a valid security concern.


Executive Order 12968, *Access to Classified Information*, states that "no negative inference concerning eligibility for access to classified information may be made solely on the basis of mental health counseling." Adjudicators must adhere to uniform national adjudicative guidelines when evaluating information concerning mental health counseling. Seeking professional care for mental health issues is a positive course of action that, by itself, will not jeopardize a security clearance. On the contrary, failure to

seek care when needed actually increases the likelihood that psychological distress may escalate to a more serious mental condition, which in turn could cause behaviors that would be of security concern. Through the training programs they provide, leaders, security professionals, counselors, and victim advocates must encourage personnel to seek treatment and counseling for issues that affect mental health and must also reinforce the idea that utilization of mental health treatment options is a positive course of action. Education is crucial to dispelling the myths and removing the stigma associated with seeking professional help.

The attachment provides answers to some frequently asked questions regarding mental health counseling and treatment as they relate to security clearances. Again, we encourage all employees to seek care when needed, regardless of the issue, knowing that getting professional assistance is the best way to maintain optimal individual performance and sustain our Nation's security.



James R. Clapper, Jr.
Under Secretary of Defense for
Intelligence



Gail H. McGinn
Performing the Duties of the
Under Secretary of Defense for
Personnel and Readiness

Attachment:
As stated

Frequently Asked Questions

1. If I seek mental health counseling or treatment for a condition that is not excluded from being reported on question 21 of the Standard Form 86 Questionnaire for National Security Positions (SF 86), how will it affect the decision on whether to grant or renew my security clearance?

Your decision to seek counseling or treatment is viewed as a positive sign that you recognize a problem may exist and are willing to take steps towards resolving it. Early intervention is often a key to successful resolution. On the other hand, letting your mental health problem grow until your behavior endangers security may lead to a negative decision on your clearance.

2. If I have received counseling or treatment from a mental health professional for reasons other than the exclusions listed on question 21 of the SF 86, what happens when I am investigated or reinvestigated for my security clearance?

You will have to report the counseling or treatment on your personnel security questionnaire (the SF 86). During an interview, the background investigator will ask standard questions about the length and reasons for your mental health counseling or treatment and its outcomes.

3. Does it make a difference if I enter this counseling or treatment voluntarily, without it being required by a supervisor or court?

Yes. Voluntarily seeking help is a definite plus in the later decision by personnel security officials regarding whether to grant or renew your security clearance. The fact that you have voluntarily sought counseling or treatment for a mental health problem does not suggest that your problem is more serious than someone who has not. Instead, it shows that you are aware of the problem and are trying to deal with it in a responsible manner. This voluntary action is considered positive evidence of reliability and a willingness to fulfill personnel security responsibilities. When the investigation results are later reviewed to make a security clearance decision, the fact that you voluntarily sought professional help will be a significant positive factor in the decision.

4. How do I get help if I have a problem that requires mental health counseling or treatment?

You can receive quick professional help by contacting the Employee Assistance Program (EAP), Military One Source, or Counseling Services that are offered at your workplace. These free government-sponsored programs can assist you in finding a local mental health professional who can help you with your mental health problem. If an EAP is not available, you can seek help from mental health professionals located in your local area.

**APPENDIX G:
THE *VICTIM RIGHTS IN ACTION* BROCHURE**

APPENDIX G: VICTIM RIGHTS IN ACTION BROCHURE

DoD's Victim and Witness Definitions

The DoD uses the following definitions for victim and witness, but more information may be available through your installation's Victim Witness Assistance Program, which is usually located in the installation legal office (Judge Advocate).

A **victim** is a person who has suffered direct physical, emotional, or financial harm as a result of a crime committed in violation of the Uniform Code of Military Justice. Victims of crime in other jurisdictions are also included if any portion of the investigation is conducted primarily by a DoD component. Such individuals include, but are not limited to, the following:

- Military members and their families
- DoD civilian employees, contractors, and their family members (when stationed outside the continental United States). However, in stateside locations this group is not eligible for some services, such as medical care in military medical facilities.
- Children or people needing representation. When a victim is under 18 years of age, incompetent, incapacitated, or deceased, the term, victim, includes one of the following (in order of precedence): a spouse, legal guardian, parent, child, sibling, another family member, or another person designated by a court or legal authority.

A **witness** is a person who provides information or evidence about a criminal offense within the investigative responsibility of the DoD. When the witness is a minor, the term witness includes a minor's family member or legal guardian. The term does not include a defense witness or an individual involved in the crime as a perpetrator or accomplice.

Victim Witness Assistance Program

Once an investigation is initiated, a Victim-Witness Liaison (VWL) is available to assist sexual assault victims. A VWL assists victims with exercising their federally mandated rights and with navigating the criminal justice system. VWLs also provide information on services and resources, and interact with lawyers and commanders. VWLs help ensure the victim's situation is respected, that victims have a voice in the process, and that victims are kept informed of the status of the investigation and prosecution.

Resources

To locate your Victim-Witness Liaison, you should contact your local installation's office of the Staff Judge Advocate or base legal office.

For additional information or to find Victim-Witness Assistance Points of Contact:

DoD Victim and Witness Assistance Council
<http://www.defenselink.mil/vwac>

Office for Victims of Crime (Department of Justice)
<http://www.ojp.usdoj.gov/ovc>

Department of Defense
Issued by the Secretary of Defense, Office of Legal Policy
Prepared by the Sexual Assault Prevention and Response Office

**Victims' Rights
In Action**

Department of Defense Victim and Witness Assistance Programs

The Department of Defense Victim Witness Assistance Program assists victims of crime – including sexual assault – by providing information and access to resources. DoD Directive 1030.01, *Victim and Witness Assistance* (April 23, 2007) and DoD Instruction 1030.2, *Victim and Witness Procedures* (June 4, 2004) implement statutory requirements for the DoD programs. These DoD policies also provide guidance for assisting victims and witnesses of crime from initial contact through investigation, prosecution, and confinement. Particular attention is paid to victims of serious and violent crime, including child abuse, domestic violence, and sexual misconduct.

Victim's Bill of Rights

The Directive includes a DoD Victims' Bill of Rights, which resembles the Federal Crime Victims' Bill of Rights. DoD law enforcement and legal personnel directly engaged in the detection, investigation, or prosecution of crimes are responsible for ensuring that victims of military-related crime are accorded the following rights:

1. Be treated with fairness and respect for the victim's dignity and privacy.
2. Be reasonably protected from the accused offender.
3. Be notified of court proceedings.
4. Be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial.
5. Confer with the attorney for the Government in the case.
6. Receive available restitution.
7. Be provided information about the conviction, sentencing, imprisonment, and release of the offender.

Additionally, court-martial convening authorities, as well as clemency and parole boards, shall consider making restitution to the victim a condition of pretrial agreements, sentence reduction, clemency, and parole. They may consider victim statements on the impact of crime when reviewing a case.

Victims' rights are more than the discrete rights created by specific statutes or judicial decisions. Victims' rights are about the victims' participation in the criminal justice system and about changing the culture of that system to accommodate such participation.

During the Investigation:

- Protection
- Privacy
- Information
- Respectful Treatment

During Command Decision-Making Phase:

- Protection
- Privacy
- Information
- Consultation
- Restitution
- Respectful Treatment

During Prosecution:

- Protection
- Privacy
- Information
- Notification
- Attendance
- Consultation
- Restitution
- Respectful Treatment
- Victim Impact

Post-Prosecution:

- Information
- Privacy
- Victim Impact

42 USC § 10601 et seq.
18 USC § 1512-1514
Victim-Witness Assistance Program
Department of Defense Directive 1030.1
Department of Defense Instruction 1030.2

Important DoD Information Forms for Victims

Victim and witness assistance programs throughout DoD use standard forms to advise victims and witnesses of their rights during all stages of a case. Each military service is also required to provide DoD an annual report indicating the number of victims and witnesses who have received assistance and services. The following chart lists the DoD forms number, the title of the form, when they are used, and their purpose.

DD Form 2701

Initial Information for Victims and Witnesses of Crime
Initial Contact

Provides notice to victims and witnesses on rights and information on the military justice system and points of contact

DD Forms 2702/2703

Court-Martial Information for Victims and Witnesses of Crime
and

Post-Trial Information for Victims and Witnesses of Crime
Prosecution

Provides notice to victims and witnesses on rights during court-martial proceedings and process and during the command's decision-making process

DD Forms 2704/2705

Victim/Witness Certification and Election Concerning Inmate Status
and

Victim/Witness Notification of Inmate Status
Confinement

Provides information to victims and witnesses on the offender's sentence, confinement status, clemency and parole hearings and release from confinement

DD Form 2706

Annual Report

Provides statistical information to DoD on assistance rendered to victims and witnesses

**APPENDIX H:
FY09 PAT VISITS COMMANDER AND ACCESSION TRAINING
CHECKLISTS**

APPENDIX H: FY09 PAT VISITS COMMANDER AND ACCESSION TRAINING CHECKLISTS

Accession Training			
The Military Service:			
	YES	NO	comments
1. Provides mandatory education and training in SAPR as part of the overall effort to achieve sexual assault awareness and prevention within the Department of Defense. - DoDI E3.2.1.			
	YES	NO	comments
2. Publicizes policies and procedures for reporting a sexual assault. DoDI 5.7.3. <ul style="list-style-type: none"> • Restricted Reporting and Unrestricted Reporting 			
	YES	NO	comments
Provides information regarding the availability of:			
	YES	NO	comments
3. Advocacy - DoDI 5.7.3. <ul style="list-style-type: none"> • SARC and VA 			
	YES	NO	comments
4. Medical treatment - DoDI 5.7.3. <ul style="list-style-type: none"> • Sexual Assault Forensic Exam (SAFE) • Medical Care 			
	YES	NO	comments
5. Referral services - DoDI 5.7.3. <ul style="list-style-type: none"> • Resources, e.g., legal, medical, counseling, etc. 			
	YES	NO	comments
6. Makes personnel aware that sexual assault includes rape, forcible sodomy (oral or anal sex), and other unwanted sexual contact that is aggravated, abusive, or wrongful (to include unwanted and inappropriate sexual contact), or attempts to commit these acts.			

Focuses this training to ensure that all Service members have a working knowledge of:			
	YES	NO	comments
7. What constitutes sexual assault - DoDI E3.2.1.1.			
	YES	NO	comments
8. Why sexual assaults are crimes - DoDI E3.2.1.1.			
	YES	NO	comments
9. The meaning of consent - DoDI E3.2.1.1.			
Provides personnel with information on and ensures Service members are aware of:			
	YES	NO	comments
10. The reporting options available to them - DoDI 5.7.3.1 and DoDI E3.2.1.1. <ul style="list-style-type: none"> • Restricted Reporting and Unrestricted Reporting 			
	YES	NO	comments
11. The exceptions and/or limitations of each option - DoDI 5.7.3.1. and DoDI E3.2.1.1.			
	YES	NO	comments
12. Uses the term sexual assault as defined in DoD Directive 6495.01 ¹¹¹ in all training programs. - DoDI E3.2.1.2.			

¹¹¹ Definition of Sexual Assault: "For the purpose of this Directive and SAPR awareness training and education, the term "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 (oral or anal sex), and other unwanted sexual contact 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 lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused's use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating relationship by itself or the manner of dress of the person involved with the accused in the sexual conduct at issue shall not constitute consent." - DoDD 6495.01, October 6, 2005

	YES	NO	comments
13. Emphasizes the distinction between the terms sexual assault and sexual harassment which is defined in DoD Directive 1350.2. ¹¹² - DoDI E3.2.1.2.			
	YES	NO	comments
14. Tracks and maintains records of participation in the training			

Policy References

DoD Directive 6495.01, October 6, 2005
 DoD Instruction 6495.02, June 23, 2006

¹¹² Definition of Sexual Harassment: A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: submission to such conduct is made either explicitly or implicitly a term or condition of a person’s job, pay, or career, or submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creates an intimidating, hostile, or offensive working environment. This definition emphasizes that workplace conduct, to be actionable as “abusive work environment” harassment, need not result in concrete psychological harm to the victim, but rather need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the work environment as hostile or offensive. (“Workplace” is an expansive term for Military members and may include conduct on or off duty, 24 hours a day.) Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career, pay, or job of a Military member or civilian employee is engaging in sexual harassment. Similarly, any Military member or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment.

Commander Training (O-6 LEVEL TRAINING)			
Does the training accomplish the following:			
	YES	NO	comments
15. Ensure commanders understand SAPR policies to effectively implement them within their level of command responsibility. - DoDI E3.1			
	YES	NO	comments
16. Ensure commanders understand policies and procedures for reporting a sexual assault. DoDI 5.7.3. <ul style="list-style-type: none"> • Restricted Reporting and Unrestricted Reporting • Exceptions and limitations associated with each type of reporting 			
	YES	NO	comments
17. Ensure commanders understand what type of advocacy services and support are available through the SAPR program for personnel within their level of command responsibility - DoDI 5.7.3. <ul style="list-style-type: none"> • SARC and VA roles 			
	YES	NO	comments
18. Ensure commanders understand what type of medical treatment is available for victims of sexual assault through the SAPR program for personnel within their level of command responsibility - DoDI 5.7.3. <ul style="list-style-type: none"> • Sexual Assault Forensic Exam (SAFE) • Medical care 			
	YES	NO	comments
19. Ensure commanders understand that there are a variety of referral services available for victims of			

sexual assault - DoDI 5.7.3. <ul style="list-style-type: none"> Resources, e.g., legal, medical, counseling, etc. 			
	YES	NO	comments
20. Ensure commanders understand the definition of sexual assault as specified in the DoDI. - DoDI E3.2.1.2			
Focuses this training to ensure that all Service members have a working knowledge of:			
Upon completion of the training a participant should be able to explain the following in their own words:			
	YES	NO	comments
21. What constitutes sexual assault - DoDI E3.2.1.1.			
	YES	NO	comments
22. That sexual assaults are crimes - DoDI E3.2.1.1.			
	YES	NO	comments
23. The definition of consent - DoDI E3.2.1.1.			

Provides personnel with information on and ensures Service members are aware of:			
	YES	NO	comments
24. Ensure commanders understand the distinction between the terms sexual assault and sexual harassment which is defined in DoD Directive 1350.2. ¹¹³ - DoDI E3.2.1.2.			
	YES	NO	comments
25. The agency or schoolhouse conducting the training tracks and maintains records of participation in the training			

Policy References

DoD Directive 6495.01, October 6, 2005

DoD Instruction 6495.02, June 23, 2006

¹¹³ Definition of Sexual Harassment: A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment. This definition emphasizes that workplace conduct, to be actionable as "abusive work environment" harassment, need not result in concrete psychological harm to the victim, but rather need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the work environment as hostile or offensive. ("Workplace" is an expansive term for Military members and may include conduct on or off duty, 24 hours a day.) Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career, pay, or job of a Military member or civilian employee is engaging in sexual harassment. Similarly, any Military member or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment.

Commander Responsibilities			
To help establish the comprehensiveness of the training, the SAAC Training Subcommittee will review the training on the following additional topics related to commander responsibilities:			
Overall Responsibilities			
	Y	N	Comments
2. Management responsibility for effective implementation of SAPR policies - DoDI E3.1.			
	Y	N	Comments
3. Responsibility to advocate a strong SAPR program - DoDI E3.1.			
Training and Prevention			
	Y	N	Comments
4. Responsibility to ensure education and training is provided that enables Service members to prevent and appropriately respond to incidents of sexual assault - DoDI E3.1.			
	Y	N	Comments
5. Annual training requirements for Service members			
	Y	N	Comments
6. Receiving regular SAPR updates from the SARC - DoDI E3.2.5.2.2.			
	Y	N	Comments
7. Using case data from the SARC to mitigate risk factors in the environment			
Response			
	Y	N	Comments
8. Responders and their roles			
	Y	N	Comments
9. Sexual assault reporting procedures –restricted and unrestricted			
	Y	N	Comments
10. Role of the Sexual Assault Case Management Group			

	Y	N	Comments
11. The <i>Commander's Checklist for Unrestricted Reports of Sexual Assault</i> - DoDI E5. <ul style="list-style-type: none"> • Victim's Commander • Alleged Offender's Commander • Unit Commander of Victim and/or Alleged Offender <ul style="list-style-type: none"> ○ Prevention ○ In the Event of a Sexual Assault 			
	Y	N	Comments
12. Sexual Assault Forensic Exam (SAFE) and/or medical care			
	Y	N	Comments
13. Taking action on collateral misconduct by victim may be delayed. - DoDI E3.2.12.			
	Y	N	Comments
14. Responsiveness to a victim's desire to discuss his or her case - DoD E3.2.4.5.			
	Y	N	Comments
15. Disposition authority for sexual assault cases - DoDI E12.			
	Y	N	Comments
16. Reviewing administrative separation actions involving victims of sexual assault which occur within 1 year of an Unrestricted Report of sexual assault - DoDI E3.2.14.			
	Y	N	Comments
15. Consideration of victim wishes regarding reassignment of offender or victim to separate them.			
	Y	N	Comments
17. Procedures to protect the SARC and VA from coercion, discrimination, or reprisals - DoDI E3.2.15.			

Policy References

DoD Directive 6495.01, October 6, 2005
DoD Instruction 6495.02, June 23, 2006

Quality of Training			
To ASSESS THE QUALITY of the training, the SAAC Training Subcommittee will review the training for its consistency with the following best practices:*			If unsatisfactory, discuss the reasons why with the instructor and note in the comments section below.
Incorporates practices consistent with Adult Learning Theory:			
	YES	NO	Comments
26. Trainer attempts to break trainees into small groups (30 people or less per training class)			
	YES	NO	Comments
27. Use of at least one scenario that allows student to apply concepts learned			
	YES	NO	Comments
28. Use of two or more delivery mechanisms (e.g., lectures, discussion groups, videos, handouts, slides, skits)			
	YES	NO	Comments
29. Actively solicits group participation and interaction			
	YES	NO	Comments
30. Instructor establishes ground rules for training (As demonstrated by setting the stage to acknowledge the difficult nature of the subject matter and creating a trusting environment. Additionally, victims/survivors may be present, some may need to leave the room; instructor has arranged for support if needed)			
	YES	NO	Comments
31. Instructor has demonstrated evidence of training preparation and motivates students. (For example, Instructor does not read from a script, makes eye contact with students, asks questions to check understanding)			

Imparts knowledge, skills, and behaviors:			
	YES	NO	Comments
32. Students demonstrate comprehension of topics presented			
Demonstrates the following three:			
	YES	NO	Comments
a. Understanding what sexual assault is (see DoDI definition ¹¹⁴)			
	YES	NO	Comments
b. Understanding the Restricted and Unrestricted Reporting options and how to access them			
	YES	NO	Comments
c. Understands that there is 24/7 help available and how to make contact with resources			
	YES	NO	Comments
d. Demonstrates concepts of safe Bystander Intervention			

*Best Practices are based on the following:

- (1) “Cone of Learning” developed and revised by Bruce Hyland from material by Edgar Dale, Edgar Dale, Audio-visual Methods in Teaching (3rd Edition). Holt, Reinhart, and Wilson (1969).
- (2) Reception, Processing and Response Principles from Booth-Butterfield, S., Welbourne, J., Williams, C., and Lewis, V. (2007). *Formative field experiments of a NIOSH Alert to reduce the risks to fire fighters from structural collapse: Applying the cascade framework. Health Communication.*
- (3) Speck, M. (1996, Spring). Best practice in professional development for sustained educational change. *ERS Spectrum*, 33-41.

Speck (1996) notes that the following important points of adult learning theory should be considered when professional development activities are designed for educators:” Adults will

¹¹⁴ Definition of Sexual Assault: “For the purpose of this Directive and SAPR awareness training and education, the term “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 (oral or anal sex), and other unwanted sexual contact 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 lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused’s use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating relationship by itself or the manner of dress of the person involved with the accused in the sexual conduct at issue shall not constitute consent.” - DoDD 6495.01, October 6, 2005

commit to learning when the goals and objectives are considered realistic and important to them. Application in the 'real world' is important and relevant to the adult learner's personal and professional needs. Adults want to be the origin of their own learning and will resist learning activities they believe are an attack on their competence. Thus, professional development needs to give participants some control over the what, who, how, why, when, and where of their learning. Adult learners need to see that the professional development learning and their day-to-day activities are related and relevant. Adult learners need direct, concrete experiences in which they apply the learning in real work. Adult learning has ego involved. Professional development must be structured to provide support from peers and to reduce the fear of judgment during learning. Adults need to receive feedback on how they are doing and the results of their efforts. Opportunities must be built into professional development activities that allow the learner to practice the learning and receive structured, helpful feedback. Adults need to participate in small-group activities during the learning to move them beyond understanding to application, analysis, synthesis, and evaluation. Small-group activities provide an opportunity to share, reflect, and generalize their learning experiences. Adult learners come to learning with a wide range of previous experiences, knowledge, self-direction, interests, and competencies. This diversity must be accommodated in the professional development planning. Transfer of learning for adults is not automatic and must be facilitated. Coaching and other kinds of follow-up support are needed to help adult learners transfer learning into daily practice so that it is sustained." (pp. 36–37)

Request Service IG tools for measuring effectiveness, and consider incorporating relevant aspects where appropriate before finalizing.

**APPENDIX I:
SECRETARY OF DEFENSE SEXUAL ASSAULT
AWARENESS MONTH MEMORANDUM**

**APPENDIX I: SECRETARY OF DEFENSE SEXUAL ASSAULT
AWARENESS MONTH MEMORANDUM**

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

APR 13 2009

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
CHIEF, NATIONAL GUARD BUREAU
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Sexual Assault Awareness Month – April 2009

April marks the Department of Defense's fifth observance of National Sexual Assault Awareness Month (SAAM). This observance was designated to address an important concern in our ranks – the reduction of sexual harassment and assault of service personnel. The Department of Defense has a no-tolerance policy toward sexual assault. This type of act not only does unconscionable harm to the victim; it destabilizes the workplace and threatens national security.

The 2009 SAAM theme, "*Our Strength is for Defending*," reflects the Department's efforts to raise awareness and stop sexual violence. Fighting this crime begins with accountability and strong leadership – up, down, and across the chain of command – from junior enlisted members to senior noncommissioned officers to commanders. Every employee must know how to prevent such situations and report any incident that occurs. Leaders must promote proper workplace behavior and take action as necessary.

Sexual assault is not a matter to take lightly, and the Department of Defense remains committed to the safety, welfare, and readiness of its personnel. Trained sexual assault coordinators and victim advocates from the Services are available for assistance with prevention and intervention. More information about the Department of Defense's efforts is available at www.MyDuty.mil.



OSD 03306-09



**APPENDIX J:
DEPARTMENT OF DEFENSE FORM 2910**

APPENDIX J: DEPARTMENT OF DEFENSE FORM 2910

VICTIM REPORTING PREFERENCE STATEMENT <i>(Please read Privacy Act Statement before completing this form.)</i>	
1. REPORTING PROCESS AND OPTIONS DISCUSSED WITH THE VA OR SARC	
a. I, (Full name) _____, had the opportunity to talk with a Victim Advocate (VA) or a Sexual Assault Response Coordinator (SARC) before selecting a reporting option.	
b. UNRESTRICTED REPORTING - REPORTING A CRIME WHICH IS INVESTIGATED.	
INITIALS	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 offender(s) or receiving a military protective order against the offender. Any misconduct on my part may be punished, but at the discretion of the commander may be delayed until after the sexual assault charge(s) is resolved.
c. RESTRICTED REPORTING - CONFIDENTIALLY REPORTING A CRIME WHICH IS NOT INVESTIGATED.	
	(1) I understand that I can confidentially receive medical treatment, advocacy services, and counseling, and an optional sexual assault forensic exam to collect evidence if needed, but law enforcement and my command will NOT be notified. My report will NOT trigger an investigation; therefore, no action will be taken against the offender(s) as the result of my report.
	(2) I understand that there are exceptions to "Restricted Reporting" (see back). If an exception applies, limited details of my assault may be revealed to satisfy the exception.
	(3) I understand that if I have not made an "Unrestricted Report" within 1 year of any evidence collected, it will be destroyed and no longer available for any future investigation or prosecution efforts.
	(4) I understand that all state laws, local laws or international agreements that may limit some or all of DoD's restricted reporting protections have been explained to me. In _____, medical authorities must report the sexual assault to _____.
	(5) I understand that the SARC will provide information that does not reveal my identity, nor that of my offender, to the responsible senior commander within 24 hours of my "Restricted Report" or within 48 hours if at a deployed location and extenuating circumstances apply. This information is required for the purposes of public safety and command responsibility.
	(6) I understand that by choosing "Restricted Reporting," the full range of victim protection actions may not be available, such as being separated from the offender(s) or receiving a military protective order against the offender(s).
	(7) I understand that if I talk about my sexual assault to anyone other than those under the "Restricted Reporting" option (SARC, sexual assault victim advocate, or healthcare providers), and chaplains, it may be reported to my command and law enforcement which could lead to an investigation.
	(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 offender(s). If the case goes to court, my victim advocate 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.
PRIVACY ACT STATEMENT	
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.	
DD FORM 2910, NOV 2008	
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2. CHOOSE A REPORTING OPTION <i>(Initial)</i>	
<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 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 applies. I understand the information I provide will NOT start an investigation or be used to punish an offender.</p>	
3. RESTRICTED REPORT CASE NUMBER <i>(If applicable)</i>	
4.a. SIGNATURE OF VICTIM	b. DATE (YYYYMMDD)
5.a. SIGNATURE OF SARC/VICTIM ADVOCATE	b. DATE (YYYYMMDD)
6. 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 (YYYYMMDD)
c. SIGNATURE OF SARC/VICTIM ADVOCATE	d. DATE (YYYYMMDD)
EXCEPTIONS TO "RESTRICTED REPORTING"	
<p>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:</p> <ol style="list-style-type: none"> 1. Command officials or law enforcement when authorized by the victim in writing. 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. SARC, victim advocates or healthcare provider when required for the direct supervision of victim services. 5. Military or civilian courts when ordered, or if disclosure is required by Federal or state statute. <p>SARCs, victim advocates and healthcare providers 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.</p> <p>NOTICE: DOCUMENTATION FOR RECORD KEEPING PURPOSES. Victims are advised to maintain a signed and dated copy of this form for their records. This form may be used by the victim in other matters before other agencies (e.g., Department of Veterans Affairs) or for any other lawful purpose.</p>	

DD FORM 2910 (BACK), NOV 2008

Reset



DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE





**OFFICE OF THE SECRETARY OF DEFENSE
SEXUAL ASSAULT PREVENTION
AND RESPONSE OFFICE**

TAB A



SECRETARY OF THE ARMY
WASHINGTON

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: John M. McHugh, Secretary of the Army

A handwritten signature in black ink, appearing to read "John M. McHugh", is written over the "FROM" line.

SUBJECT: Fiscal Year (FY) 2009 Sexual Assault Report

- The Army's Sexual Assault Report for FY09 is attached. The report is prepared in accordance with Section 577 of Public Law (PL) 108-375 and the Under Secretary of Defense for Personnel and Readiness memo dated 5 Oct 09, SUBJECT: Data Call for FY09 Sexual Assaults. The report highlights attributes of the Army Sexual Assault Prevention and Response (SAPR) Program, including:
 - The Army remains committed to creating a climate where: Soldiers live the Army Values, thereby reducing incidents of sexual assault; victims report this crime, knowing their chain of command will ensure they receive the help and care they deserve; and commanders take appropriate action against offenders.
 - The Army report features actions and future plans for our comprehensive sexual assault prevention strategy and related "I. A.M. Strong" campaign. FY09 was the first full year for the "I. A.M Strong" campaign which focuses on leaders maintaining a positive command climate where Soldiers do not tolerate behavior that, left unchecked, may lead to sexual assault.
 - Although the Army reported more incidents of sexual assault in FY09 compared to FY08, the rate of reported cases remained constant, due to an increase in Soldier population.
- The attached report contains seven required enclosures in the prescribed DoD format:
 - Enclosure 1: Army sexual assault unrestricted report data.
 - Enclosure 2: Army sexual assault restricted report data.
 - Enclosure 3: Service referrals for victims of sexual assault.
 - Enclosure 4: Combat area of interest (CAI) unrestricted report data.
 - Enclosure 5: CAI restricted report data.
 - Enclosure 6: Service referrals for victims of sexual assault (CAI).
 - Enclosure 7: Sexual assault synopses report.

COORDINATION: None

Attachments: As stated

Prepared By: Ms. Carolyn Collins, 703-693-0764



Sexual Assault in the Army

Fiscal Year 2009

Part 1: Program Review

Executive Summary

American Soldiers are members of a band of brothers and sisters, bound by common values, with duty and loyalty to each other that sets them apart from society. It is in this context that the Army considers the crime of sexual assault and the enabling offense of sexual harassment; and the duty of every Soldier to intervene and stop incidents before they occur. Soldiers who commit the crime of sexual assault not only betray their victims, they violate the sacred trust of the band of brothers and sisters who count on them. Soldiers who fail to intervene to protect a comrade from harassment or the risk of assault, have also forsaken the duty to never leave a fallen comrade.

The Army's goal is to eliminate sexual assault and harassment by creating a climate where sexual misconduct is recognized and addressed in a way that respects the dignity of every member of the esteemed band of brothers and sisters.

With the Secretary of the Army (SECARMY) and the Chief of Staff of the Army (CSA) providing personal leadership, support and guidance, the Army launched a comprehensive sexual assault prevention strategy at the end of FY08. The multi-year strategy focuses on leaders establishing a positive command climate which encourages Soldiers to personally execute peer-to-peer intervention and not tolerate behavior that, left unchecked, may lead to sexual assault.

Inasmuch as behavior such as sexual harassment may be a precursor to the more serious crime of sexual assault, part of the Army's prevention strategy includes an initiative that combines the Sexual Assault Prevention and Response (SAPR) Program with the Prevention of Sexual Harassment (POSH). The result is an overarching program called Sexual Harassment/Assault Response and Prevention, or SHARP.

The cornerstone of the Army's prevention strategy is the "I. A.M. Strong" Campaign where the letters *I. A. M.* stand for Intervene – Act – Motivate. The "I. A.M. Strong" messaging features Soldiers as influential role models; provides peer-to-peer messages and outlines the Army's intent for all team members to personally take action in the effort to protect its community members.

While increasing emphasis to prevent sexual assaults before they occur, the Army continues to emphasize victim services and response capabilities, to include enhancements to investigation and prosecution resources.

This annual report complies with Section 577 of Public Law (PL) 108-375, which requires the Secretary of each military department to submit to the Secretary of Defense a report on the sexual assaults involving members of the Armed Forces under their jurisdiction during the preceding year. This report also complies with the content and formatting requirements in the Under Secretary of Defense memorandum dated October 5, 2009 (SUBJECT: Data Call for FY2009 Sexual Assaults). As such, this year's report is in two parts:

- Part 1 (Program Review) contains the Army's Sexual Assault Prevention and Response (SAPR) Program initiatives, accomplishments, challenges for FY09, and plans for FY10.
- Part 2 (Statistical Report) contains data and analysis of the Unrestricted and Restricted Reports of sexual assault which were reported during FY09 as well as a brief profile (Synopsis Report) of all sexual assault cases investigated by the U.S. Army Criminal Investigation Command (CID).

The assessment of the Army's Sexual Assault Prevention and Response (SAPR) Program in this year's report contains input from all Army Commands, Army Service Component Commands, and Direct Reporting Units. The reporting elements cited continued program improvements, effective training, integrated response capabilities, and an increased emphasis on prevention measures in alignment with the Army's prevention strategy.

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Program Overview

The Army continues to aggressively operate and improve its comprehensive Sexual Assault Prevention and Response (SAPR) Program. This includes plans for integrating SAPR with Prevention of Sexual Harassment (POSH) efforts to form an overarching Sexual Harassment/Assault Response and Prevention (SHARP) Program.

The intent of the SAPR Program is to eliminate sexual assault by creating a climate: where Soldiers live the Army Values, thereby reducing incidents of sexual assault; where Soldiers feel compelled to report incidents when they do occur; where victims report this crime without fear, knowing they will receive the help and care they deserve; and where appropriate action is taken against offenders.

The Army's SAPR Program is formalized in Chapter 8, Army Regulation (AR) 600-20 (Army Command Policy). The Assistant Secretary of the Army for Manpower and Reserve Affairs has oversight of the Army's SAPR Program, while the Deputy Chief of Staff, G-1 (through the Army SHARP Office) is responsible for program implementation and assessment. Significant elements of the Army program include:

- As the SAPR program is a command responsibility, commanders are required to: foster a command climate of prevention to eliminate the crime of sexual assault; treat all allegations of sexual assault seriously and ensure investigations occur; treat victims with dignity and respect; and take appropriate action against offenders.
- All levels of Army institutional Professional Military Education (PME), from initial entry to senior service college, use a comprehensive set of training support packages to conduct required training. Annual unit level sexual assault awareness and pre- and post-deployment SAPR training is also mandatory per AR 350-1 (Army Training and Leader Development).
- Installation commanders and deployed senior mission commanders (or their representatives) have overall responsibility for the SAPR program implementation and 24/7 execution. As a critical element of their program execution, these leaders conduct required monthly Sexual Assault Review Boards (SARB). The SARB provides executive oversight, procedural guidance and feedback concerning local implementation of the SAPR Program and case management.
- An Army-wide Victim Advocacy Program is led by Sexual Assault Response Coordinators (SARCs) and supported by a cadre of full-time, professional Installation Victim Advocates (IVA). These SARCs and IVAs interact directly with victims of sexual assault and other installation response agencies (medical, legal, law enforcement, investigative, and chaplain).
- Deployable Sexual Assault Response Coordinators (DSARCs) and Unit Victim Advocates (UVA) are Soldiers who receive specialized training and

assist their commanders (as a collateral duty) in executing their SAPR programs and coordinating sexual assault response efforts (legal, law enforcement, chaplaincy, and medical).

- DSARCs and UVAs provide/support advocacy services in deployed environments and for geographically dispersed units in CONUS and OCONUS not serviced by an installation. They may also augment advocacy services in a garrison environment, as needed.
- Army policy requires each brigade level unit and higher echelon to have one trained DSARC. UVAs are Soldiers trained to provide victim advocacy as a collateral duty. Army policy requires two UVAs for each battalion sized unit.

Prevention Initiatives

This section of the report describes the Army's significant sexual assault prevention initiatives during FY09.

Sexual Assault Prevention Campaign – “I. A.M. Strong”

The most significant program initiative of FY09 was the continued roll-out of the Army's Sexual Assault Prevention Strategy and Campaign, which is in line with Secretary of the Army (SECARMY) and Chief of Staff of the Army (CSA) intent to eliminate sexual assault from the Army.

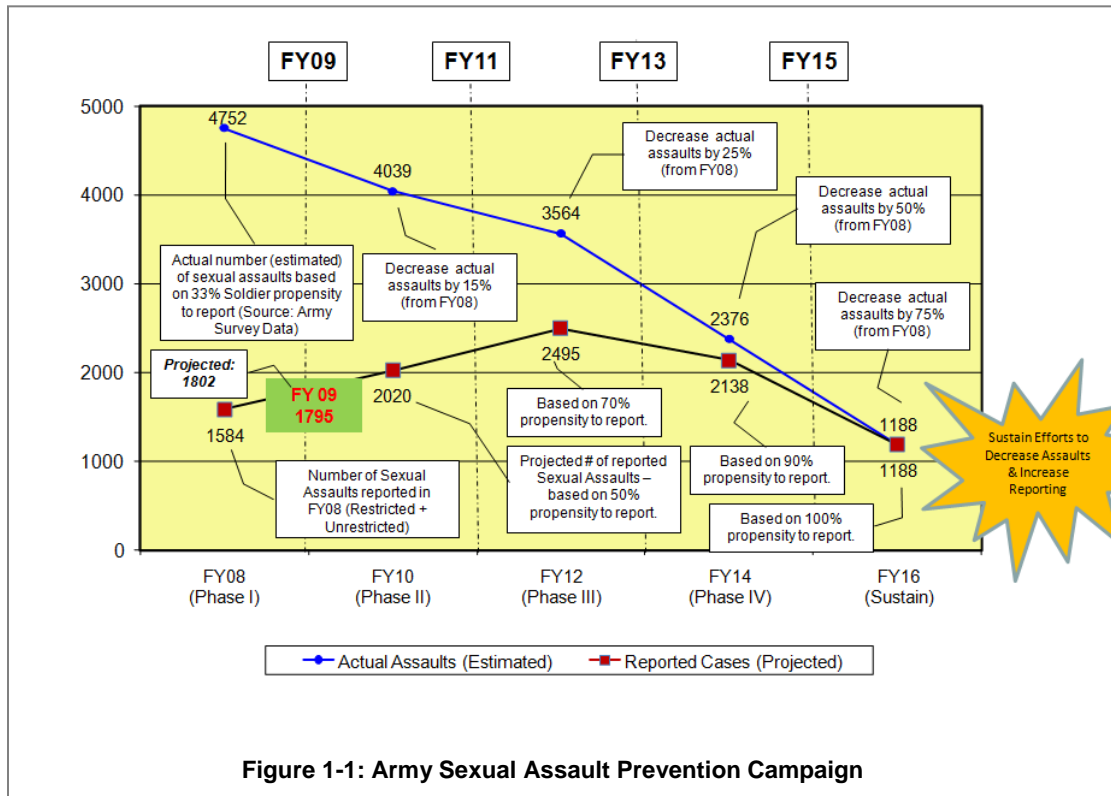
The cornerstone of the strategy is the “I. A.M. Strong” campaign where the letters *I. A. M.* stand for Intervene – Act – Motivate. The purpose of “I. A.M. Strong” is to encourage Soldiers to take action to prevent sexual assault and to actively foster respectful treatment of others. The strategy consists of four integrated phases and has policy, procedure, training and assessment components, which will continue through 2014 and beyond:

- The SECARMY introduced the “I. A.M. Strong” campaign at the Sexual Assault Prevention Summit in September 2008. The Summit served as a platform to launch Phase I (Committed Army Leadership) by providing training on best practices and allowing command's the opportunity to develop prevention plans to support the Army strategy.
- Phase II of the prevention strategy (Army-wide Conviction) includes educating Soldiers to understand their moral responsibility to intervene and stop sexual assault and harassment. Phase II began at the 2009 Sexual Assault Prevention Summit (6-10 Apr 09) during which the SECARMY, CSA, and Sergeant Major of the Army (SMA) addressed the attendees which included over 100 Sergeants Major and 50 General Officers.
- Phase III culminates the dedicated effort of leaders and Soldiers under Phase I and Phase II by “Achieving Cultural Change” that truly reflects Army Values and fosters an environment free from sexual harassment and sexual assault.

- The final phase is “Sustainment, Refinement and Sharing”, during which the prevention program continues to grow while motivating national partners to support our efforts to change generally accepted negative social behaviors; thus eliminating the crime of sexual assault.

With the implementation of the strategy, a likely near-term consequence will be an increase in the number of reported cases as Soldiers’ and other victims’ propensity to report increases. This increase in cases will require more sexual assault responder support, specifically: victim advocates, healthcare personnel, investigators, and prosecutors.

Figure 1-1, below, illustrates projected changes in reported and actual assaults for Fiscal Years ending during Phases II – IV, using a baseline of FY08 reported cases and the FY08 estimated number of actual sexual assaults based on an Army-wide 33% propensity to report (compared to the national average of 18%). The calculations relate to the Army’s Sexual Assault Prevention Strategy targets for cultural changes resulting in increases in propensity to report and decreases in actual assaults.



Note that while the actual number of assaults decreases significantly (50%) over the course of the prevention campaign, the number of reported cases does not decrease until Phase IV; but is still 35% higher than the number of reported cases in the baseline year, FY08.

Education and Training Prevention Initiatives

The following education and training initiatives were conducted during FY09 in support of the Army's Sexual Assault Prevention Strategy and "I. A.M. Strong" Campaign:

- During Phase I (Committed Army Leadership), the SECARMY, CSA, and other senior Army leaders personally highlighted sex assault prevention training during 4-Star meetings and Senior leader forums. One example is the Commanding General of USAREUR who hosted a training event for 149 senior military and civilian leaders. The event featured the "I. A.M. Strong" Campaign and focused on reinforcing the influence bystanders have in preventing sexual assaults.
- The 2009 Sexual Assault Prevention Summit (6-10 Apr 09) focused on prevention initiatives and program manager training, including presentations from subject matter experts in social issues, law enforcement, leadership and prosecution. Commands briefed the status their specific strategies which were developed during the Sep 08 Prevention Summit. These command strategies were in alignment with the Army strategy and implemented during Phase I of the campaign.
- "Sex Signals" is a 90-minute, live, two-person, audience interactive program which includes skits dealing with dating, rape, consent and other associated topics such as body language, alcohol use and intervention. Created by Catharsis Productions, "Sex Signals" uses innovative methods to educate audiences (mainly 18-24 year olds) on social issues. Feedback from Soldiers and leaders cites "Sex Signals" as very effective training.
 - During FY09, the Army contracted for over 600 presentations of "Sex Signals" which were presented Army-wide, including Iraq and Kuwait.
 - The Army contract with Catharsis Productions provides funding for continuing the "Sex Signals" tour in FY10 and training of Army personnel to conduct future presentations.
- The training video "Band of Brothers and Sisters" was sent to every battalion to include into their training. It was also incorporated into orientation training in the CENTCOM AOR.
- In order to establish the proper focus on prevention early in each Soldier's tour in the Army, TRADOC now allocates several different times for new recruits to receive sexual assault training. Specifically, new Soldiers receive training during reception, during the first week of basic training, just prior to their first overnight pass, and upon entering advanced individual training.

Communications, Social Marketing, and Media Initiatives

Communications and marketing are key elements of the Army's Prevention Strategy. The following represent initiatives the Army conducted during FY09:

- The Army has a Communications Planning Group that meets regularly to map out communications, media, and public affairs activities. The SHARP Program Manager co-chairs the CPG with a representative from the Office of the Chief, Public Affairs (OCPA).
- The Army conducted media round tables for major news organizations and issued numerous articles and public service announcements.
- The SHARP Office formed partnerships with the Better Opportunities for Single Soldiers (BOSS), the Army Soldier Show, and Army Concert Tour. BOSS Soldiers were instrumental in promoting the Army's "I. A.M. Strong" Sexual Assault Prevention Campaign at venues across the Army, including over 40 Soldier Shows, over 10 Army Concerts, the U.S. Capitol Army Birthday Celebration, and the Association of the United States Army Convention.
- The Army focused "I. A.M. Strong" Campaign awareness briefings for specific target audiences, to include: the BOSS Conference; Initial Military Training Commanders' and Command Sergeants' Major Conference; the Army Substance Abuse Program; and MWR Marketing.
- The Army developed and distributed Commander's "I. A.M. Strong" Kits (Commander's Guide, a How-to Guide, brochures, touch cards, DVDs, posters, and banners) down to battalion level.
- The SHARP Program website (www.preventsexualassault.army.mil) is continuously updated and features program information, news articles, training resources, an "I. A.M. Strong" video, and remarks from the SECARMY, CSA, and SMA.

Subject Matter Experts

The Army partnered with several nationally recognized subject matter experts during FY09 in order to help develop and validate the components of our Sexual Assault Prevention Strategy and "I. A. M. Strong" Campaign. These noteworthy experts include:

- Dr. David Lisak, a clinical psychologist whose research focuses on the motives and behaviors of rapists, the impact of childhood abuse on adult men, and relationship between child abuse and later violence. He consults nationally with law enforcement, prosecutors, judges and the U.S. military.
- Anne Munch, an attorney with over twenty years of experience as a career prosecutor and advocate for victims of domestic violence, sexual assault, and stalking. As a subject matter expert, she has worked extensively on the development of the Sexual Assault Prevention and Response programs in the military.
- David Lee, the Director of Prevention Services at the California Coalition against Sexual Assault (CALCASA) where he manages "Prevention Connection", the online community to advance primary prevention of sexual assault and domestic violence.

- Robert Coombs, the Director of Public Affairs for CALCASA. He holds a Master's degree from the University of Colorado and has presented numerous research papers and seminars in organizational culture and conflict resolution.
- Alan Berkowitz, an independent consultant who helps colleges, universities, and communities design programs that address health and social justice issues. He frequently consults for institutions of higher education, the Federal government, public health agencies, and military academies.
- Christian Murphy and Gail Stern founded Catharsis Productions in 2000. Their program, "Sex Signals", incorporates humor and audience participation to foster greater understanding about the nature and impact of interpersonal violence.

Plans for FY10

The Army's Sexual Assault Prevention Strategy has several education and training initiatives under development that are planned for implementation in FY10, including:

- TRADOC is revising curricula throughout all PME Training courses to focus on preventing sexual assault and harassment.
- In conjunction with national subject matter experts, TRADOC is preparing to implement an interactive, decision-making, and communications tool for use by all Soldiers.
- U.S. Army Accessions Command is finalizing development of pre-accession training for Junior Reserve Officer Training Course (ROTC) Students, Senior ROTC Cadets, U.S. Military Academy (USMA) Cadets and Future Soldiers.
- Two versions of a training video are planned for production to promote "I. A.M. Strong" prevention initiatives among Soldiers and leaders.

Communications and marketing initiatives for the Army's Sexual Assault Prevention Strategy and "I. A.M. Strong" Campaign during FY10 include:

- Activities in support of National Sexual Assault Awareness Month are scheduled for April.
- Roll-out of an online social networking site is intended to encourage Soldiers to actively engage with their peers to foster respectful treatment of others and prevent sexual assault.
- A permission-based, online, Commander's Resource Site will facilitate the sharing of best practices, success stories, current initiatives and innovations around the entire prevention sphere of topics.
- An online Promotions-on-Demand site will feature "I. A.M. Strong" marketing, branding, and promotional materials to order or print on-demand.

Response Initiatives, Capabilities, and Challenges

The effective response capabilities of the Army SAPR Program are the result of an integrated coalition of command, advocacy, law enforcement, investigative, medical, legal, and chaplain components.

Response Policies, Procedures, and Initiatives

The major initiative guided by the SECARMY during FY09 helped increase personnel, training, and other resources for the Judge Advocate General's Corps (JAGC) and Criminal Investigation Command (CID), specifically targeted at sexual assault. This initiative includes:

- Hiring Highly Qualified Experts (HQE) to advise leadership, and to support the coordination and training of sexual assault investigators and prosecutors.
- Hiring 27 special investigators and adding 15 special victim prosecutors at major Army installations to focus exclusively on sexual assault cases, similar to civilian Special Victim Units (SVU).
- Hiring additional examiners at the U.S. Army Criminal Investigation Laboratory (USACIL) who, despite increased sexual assault workload, have been instrumental in meeting the congressionally mandated DNA turnaround time of 60 days.
- Funding specialized training for prosecutors and sustaining a mobile training team (MTT) to train all CID Battalions on the most current sexual assault case investigation methods. MTT topics included the effects of trauma, alcohol facilitated sexual assault, and false reports and recantation myths.
- Revising curricula for legal, investigation and law enforcement initial training.

Additional initiatives include:

- Integration of the Army's sexual assault and sexual harassment prevention efforts resulted in forming the Sexual Harassment/Assault Prevention and Response (SHARP) Office. SHARP assumed the Prevention of Sexual Harassment missions from Army Equal Opportunity and Equal Employment Opportunity offices to prevent duplication of efforts and resources. Implementation has occurred at the HQDA level, while field implementation recommendations are under development.
- The U.S. Army Medical Command (MEDCOM) revised MEDCOM Regulation 40-36 (Medical Facility Management of Sexual Assault) to reflect current requirements in the care/management of sexual assault patients.
- A multi-disciplined working group identified Army policy/procedure gaps regarding military, civilian, family member and contractor sex offenders associated with the Army. The working group prepared an action plan to improve identification, tracking and management of sex offenders.
- The Office of The Judge Advocate General (OTJAG) continued to collect and review every DA Form 7568 (Army Victim/Witness Liaison Program Evaluation). These forms are provided to each victim and witness in each

trial by Special or General Court-Martial and each investigation pursuant to Article 32, UCMJ that does not go to trial.

- USAREUR will conduct a six month pilot program (approved by DoD) during which restricted reporting will be available to adult civilian beneficiaries of the military healthcare system in Europe.

Personnel Trained

In accordance with DoDI 6495.02 and AR 600-20, all of the Army's sexual assault first responders receive initial and annual refresher training for their specific response capability. In most cases, initial training occurs at the responder's corresponding Army training institution during a basic or advanced course. Army organizations with responder personnel conduct required annual refresher training.

Leaders

- The Army has embedded sexual assault prevention and response training for Army leaders in professional military education at training institutions. This includes specific training support packages for pre-commissioning, junior leaders, drill sergeants, and senior leaders.
- Officers identified for battalion and brigade command receive further sexual assault prevention and response training during pre-command courses. Additionally, installation SARCs are required to meet with and brief all local commanders within 45 days after assuming command.

Advocacy

- *Virtual Sexual Assault Response Coordinator* training serves as an interim solution until newly hired/appointed SARCs can receive mandatory in-person training. The comprehensive training includes an 8-hour SARC Training CD-ROM, a scenario-based student workbook, and a 2-hour teleconference. During FY09 there were 20 Virtual SARC Training sessions for 47 newly hired/appointed SARCs. Over 96% of participants rated the overall training as "excellent" or "good."
- The Army SAPR Program Mobile Training Team (MTT) travels to geographically dispersed locations and installations with limited staff to assist organizations in meeting annual sexual assault prevention and response training requirements. During FY09, the MTT facilitated four training events for 167 Soldiers and other personnel, including 139 newly appointed UVAs/DSARCs with the Army National Guard (ARNG) and Army Reserve.
- Installation SAPR personnel trained 4187 newly appointed UVAs/DSARCs during FY09. Evaluations from these trainings report that over 95% of participants rated the trainings as either "excellent" or "good."
- USAREUR conducted a 3 ½ day victim advocate training conference for 80 advocacy personnel. 95% of the participants rated the training as good to excellent; 80% rated it excellent.

- The ARNG trained 113 SARCs during their Annual Conference while the National Guard Bureau (NGB) conducted five SARC/VA training certification courses for 422 ARNG personnel.
- The Army Reserve partnered with the Army Family and Morale, Welfare and Recreation Command (FMWRC) for MTT assistance in training 32 SARCs.

Medical

- MEDCOM requires military medical treatment facilities (MTF), including deployed combat support hospitals, to have trained Sexual Assault Care Coordinators (SACC) and Sexual Assault Clinical Providers (SACP).
- MEDCOM provided “train-the-trainer” sessions to assist SACPs and SACCs with local healthcare responder training. These sessions occurred during the annual Sexual Assault Medical Management (SAAM) Conference at Fort Sam Houston, TX from 17-21 Aug 09.
- MEDCOM’s FY09 SAAM Conference was approved for a 58% increase in Continuing Medical Education credits, a 118% increase in Army Nurse Corps Continuing Health Education credits, and a 25% increase in Behavioral Health Continuing Education credits.

Law Enforcement/Investigative

- All PME courses at the U.S. Army Military Police School (USAMPS) contain required sexual assault response training, including the Pre-Command Course and the Apprentice Special Agent Course for CID Special Agents.
- Additionally, all CID agents who investigate, or supervise agents who investigate sexual assault allegations, received updated annual refresher training during FY09, via the USAMPS/CID joint MTT.

Legal

- Army Judge Advocate General’s Corps (JAGC) officers receive initial sexual assault legal training during the JAGC Basic and Advanced courses at the Army Judge Advocate General Legal Center and School.
- Army JAG field offices conduct legal refresher training using lesson plans developed by the Office of the Judge Advocate General and posted to its internal network (JAGCNET).
- OTJAG trained 31 Army, 5 Marine, and 10 Air Force Victim Witness Liaisons during September 2009. Training included materials concerning communicating with victims and sexual assault in the military.

Chaplain

- All first-term Active Component, ARNG, and Army Reserve Chaplains receive their initial sexual assault responder and pastoral counseling training during the Chaplain Basic Officer Leader Course at Fort Jackson, SC.

- Installation and Division Family Life Chaplains provide training to Unit Ministry Teams composed of Chaplains and Chaplains Assistants, including pastoral counseling to victims of sexual assault.

Response Capabilities of Deployed Units

The network of SAPR Program elements with units deployed to the CENTCOM AOR cover a population of over 150,000 Soldiers plus a comparable number of civilian and contractor personnel. The current focus of these elements is prevention, awareness and mitigation of risk factors, and immediate response to victims. Deployed units report a “strong synergy” among leaders, advocacy personnel, law enforcement, legal teams, chaplains, and medical personnel.

- During FY09, Army SAPR Program Managers in the Iraqi Theater of Operations (ITO) reported 90 trained DSARCs and 290 UVAs to oversee and administer the program in deployed units. Additionally, the ARCENT SAPR Program Office organized and conducted four training certification sessions, training 78 DSARCs and 226 UVAs.
- Most units have more trained UVAs than the required two per battalion due to the geographical separation of some of their small units from the battalion.
- Continued coordination between MEDCOM and the MNC-I Surgeon facilitates battlefield medical support to sexual assault patients. The MNC-I Surgeon reported caring for 47 sexual assault patients during FY09 (compared to 31 in FY08), with a staff of four Sexual Assault Forensic Examination (SAFE) examiners, 13 SACPs and six SACCs.
- MEDCOM continues to support and coordinate with the deployed Theater Surgeon on policy and training issues via conference calls. To support Theater forensic training, MEDCOM provided 100 DVDs of the Sexual Assault Forensic and Clinical Management, a virtual practicum.

Availability of SAFE Kits and Laboratory Testing

Each Army MTF that performs SAFE collection must maintain an adequate supply, based upon population served and SAFE kit shelf-life. When the on-hand quantity falls below the re-order number, the medical logistics branch requisitions additional kits to keep sufficient quantity on-hand at all times.

Forty percent of MTFs perform SAFE exams. The remaining MTFs augment care for sexual assault patients and SAFE exams through Memoranda of Agreement (MOA) and contract services with local civilian hospitals.

All MTFs provide testing and treatment for sexually transmitted infections and diseases, including HIV, and testing for pregnancy. There were no reports of laboratory or supply issues that hindered services in any sexual assault cases.

The USACIL processes SAFE kits for evidence for all U.S. military forces worldwide, including units deployed to the CENTCOM AOR. There were no reports of sexual assault cases during FY09 in which processing issues at USACIL hindered an investigation. However, CID notes that the additional requirement scheduled to begin in 2010 to input DNA profiles of arrestee samples into the

National Combined DNA Index System (CODIS) is likely to cause a backlog in DNA processing times.

Challenges with Unrestricted and Restricted Reporting

Joint Environment

The absence of Joint policies is primarily an issue among deployed units, often resulting in unnecessary duplication and inconsistent application of services. Generally, each Service operates its own program without any Joint Headquarters program management element.

Combat Areas of Interest

As stated above, deployed units face unique challenges presented by operating without formal Joint policies in a combat zone. However, the Army's deployed units increased sexual assault prevention initiatives during FY09 in support of the "I. A.M. Strong" Campaign. Units also continued to focus on victim response and care and creating a strong synergy between law enforcement, legal, command teams, chaplains and medical personnel.

Deployed units continue to work to overcome some recurring challenges:

- Rotating victim advocate, medical, and law enforcement personnel throughout the battle space.
- Integrating new responders into the program following Transfer of Authority.
- Protecting victim identity if a SAFE is requested for a restricted report.
- Transporting victims to treatment facilities in a hostile environment.
- Providing sexual assault support services to DoD civilians and contractors.

Tracking Victim Services

The Army's network of trained SAPR Program Managers in the CENTCOM AOR does an excellent job supervising their respective DSARCs and UVAs. Challenges faced in CENTCOM with respect to tracking victim services are primarily the result of the unit rotations and the lack of visibility the gaining unit has of the re-deploying victim. The Army's interim reporting solution, an element of the Sexual Assault Data Management System (SADMS), facilitates transferring cases from deployed DSARCs to installation or reserve component SARCs in order to track follow-on services for re-deploying victims.

Restricted Reporting

The safety challenges and logistical issues in a combat zone differ from those in a garrison environment. Maintaining confidentiality of the restricted option is difficult not simply because of privacy of information; it also is difficult because command teams function as the support network for victims when they are deployed. Victims who choose a restricted option and remain in the combat zones are at risk for not having the emotional support that is available if they were at home station with family/friend support networks.

Program Oversight Activities

Army Oversight Governance

Since establishing a special sexual assault task force in 2004, the SECARMY and CSA have continuously taken a personal interest in the implementation and improvement of the Army's SAPR Program.

In 2008, the Army established a SAPR Program General Officer Steering Committee (GOSC). The GOSC, and a supporting Council of Colonels, provides strategic oversight of the Army SAPR Program and recommends management strategies, policies, plans, processes, and resources necessary to adequately prevent and respond to incidents of sexual assault within the Army.

The Assistant Secretary of the Army for Manpower and Reserve Affairs (ASA M&RA) has direct oversight of the Army's SAPR Program, while the Deputy Chief of Staff, G-1 is responsible for program implementation and assessment. The day-to-day operation of the Army SAPR Program is the responsibility of the Army SHARP Office which reports to the Director of Human Resources Policy in the Office of the Army G-1.

The Army SHARP Office executes the Army SAPR Program through a network of Program Managers at the major unit level (Army Command through Division) who work with first response organizations and personnel as well as installation resources. Installations and deployed Commands (Brigade and higher) also exercise local SAPR Program oversight using Sexual Assault Review Boards (SARB) to review sexual assault cases, issues, and processes. In accordance with Chapter 8, AR 600-20, SARBs meet monthly and are chaired by the senior mission commander or designated representative.

Army Oversight Activities

Army Participation in DoD Assistance Visits

The Army participated in the DoD assistance visit to USMA (Jun 09) and interviewed academy personnel responsible for implementing the SAPR Program at West Point.

In addition, the ASA M&RA was asked by DoD to assist with the evaluation of DoD-wide programs pertaining to sexual harassment and sexual assault prevention and response training. In this capacity, the ASA M&RA conducted six assistance visits.

Program Management Reviews

The ASA M&RA conducted four SAPR program compliance visits throughout the year to spot-check commands' policy and program execution and identify best practices for consideration for Army-wide implementation.

Results of Army Inspector General Inspection

The Department of the Army Inspector General began an Army-wide inspection during FY09. However, the results of that inspection were not completed nor available at the time of this Annual Report.

Actions Taken to Address External Evaluations

Three evaluations from sources external to the Army were scheduled to conclude during FY09:

- The Government Accountability Office (GAO) conducted a second review of the DoD SAPR Program to look at efforts to develop and implement an oversight framework for DoD's SAPR Programs.
- The DoD Inspector General conducted an inspection of issues regarding sexual harassment and sexual assault involving contractors accompanying deployed units in Operation Iraqi Freedom and Operation Enduring Freedom.
- The Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS) continued their congressionally directed review of SAPR Programs across DoD.

The Army cooperated with each of these external evaluations, met with their staffs, and helped coordinate visits to Army organizations and personnel around the world, to include deployed units. However, final reports from each of these evaluations were not received until after FY09.

The Army did incorporate recommendations from the initial FY08 GAO review into the development of the SECARMY approved prevention campaign.

Other Evaluations

The Army Installation Management Command (IMCOM), through a central contract, facilitated virtual and in-person site visits at 56 installations with contract SAPR personnel during FY09. Using a SARC Self-Inspection Checklist, Installations were inspected to determine if the SAPR Program met Department of Defense/Department of the Army guidance as well as contract requirements. Using this method of inspection, installations were found to be 100% compliant.

Additionally, many organizations conducted command inspections of their respective SAPR Programs.

Research and Data Collection Activities

In addition to the required DoD data collection and reporting requirements to support this annual report, the Army conducted other research and data collection activities during FY09.

Surveys and Research

Sample Survey of Military Personnel (SSMP)

The U.S. Army Research Institute for the Behavioral and Social Sciences (ARI) bi-annually conducts a Sample Survey of Military Personnel (SSMP) on a range of issues concerning Soldiers. Since 1996, the SSMP has periodically examined gender related issues. The Spring 2009 SSMP addressed Soldiers' perceptions

of sexual assault prevention training and their chain of command's likely responses to reports of sexual assault in their units.

- Across gender and rank groups, the vast majority of Soldiers (86-99%) said it was *very/moderately likely* that their current chain of command would "be supportive if someone in their unit were to report a sexual assault incident". (compared to 79-99% in 2008); 81-95% said it was *very/moderately likely* that "some corrective action would be taken" (compared to 74-95% in 2008).
- Fewer than 33% of Soldiers in each gender and rank group said it was *very/moderately likely* that the reporting person would be labeled a troublemaker", "the reporting persons career would suffer", or "the reporting person would not be believed" (compared to less than 44% in 2008).

Although findings from the Spring 2009 SSMP showed slight improvement over the Spring 2008 results, the differences were generally not statistically significant. Further research is needed to determine whether these changes are consistent, which would perhaps be indicative of a desired cultural shift in Soldiers' perceptions as expected under the Sexual Assault Prevention Strategy.

Sex Signals Survey

The Army conducted a survey of Soldiers in conjunction with the FY09 "Sex Signals" tour in order to gauge current attitudes and behaviors regarding bystander intervention, as well as any impact the training may have had on such attitudes. Significant results include:

- Over 27% of Soldiers who responded cited an *improved/much improved understanding* that Soldiers have a higher level of responsibility to intervene when they witness sexually aggressive behavior, on base or off.
- 17-27% of Soldiers cited an *improved/much improved understanding* of the definition of rape, and what constitutes consent.
- Over 84% of Soldiers said they were *certain/very certain* they would "do something to help if they see a Soldier who is surrounded by a group of people at a party and appears uncomfortable".

Research/Evaluation Partnerships

In conjunction with initiatives to improve training and develop tools for Soldiers to prevent sexual assault, vendors supporting the Army SHARP Office conducted multiple focus groups and data gathering activities.

- WILL Interactive: Conducted focus groups with Soldiers and leaders in support of the development of an interactive decision-making product to facilitate sexual assault prevention.
- nFormed: Used comprehensive analysis of adolescent social attitudes and behaviors to support Army's development of pre-accession training for future Soldiers.

- Behr Communications: Conducted focus groups with new recruits and Army Drill Sergeants to develop training videos impacting behaviors and attitudes about sexual assault in the Army.

The results of these research activities are integral to final products being delivered during FY10.

Discussion and Lessons Learned

The primary lesson learned during FY09 was that the Army's Sexual Assault Prevention Strategy is impacting Soldiers' and leaders' commitment to eliminate sexual assault from our ranks. The foundation necessary for achieving cultural change is solidifying, resulting in victims coming forward knowing they will be believed and taken care of, and that offenders will be held accountable. As anticipated, the result of this success is an increase in reported cases of sexual assault, which is expected to continue for the next few years.

Lessons Learned in FY09

Other lessons learned or reported to the Army SHARP Office and not previously cited in this report, include:

- Sexual Assault Review Boards (SARB) continue to be an effective case management and program assessment/improvement forum, especially when chaired by senior leaders.
- Some commands identified the need to allocate more funding and resources to the SAPR Program to adequately implement all program requirements, including: hiring full-time government SARCs; more funds for training, educational materials, display items, and supplies.
- Informal and formal survey results show that the vast majority of Soldiers understand the difference between restricted and unrestricted reporting.
- MEDCOM reported that the majority of their SACPs and SACCs spend 10-20% of their time conducting collateral duties related to sexual assault. Deployments, OPTEMPO challenges, and Base Realignment and Closure (BRAC) requirements also affect duties of designated sexual assault staff. MEDCOM reported a 50% turnover in sexual assault staff in FY09.
- The Army CID Inspector General conducted evaluations of investigative services related to sexual assault investigations. General findings verified, with few exceptions, that investigations of sexual assaults were conducted in a thorough and timely manner, and met investigative standards.

Status of FY09 Plans in FY08 Report

Many of the FY09 initiatives in last year's report did occur during the year, many of which have already been cited in this Program Review, including:

- Second Annual Prevention Summit introduced Phase II of the sexual assault prevention strategy and trained command Program Managers and Sergeants Major.
- Enhancements to investigation and prosecution personnel and resources to include the addition of Highly Qualified Experts, special prosecutors and special investigators.
- A CID Mobile Training Team conducted training at CID battalions around the Army and in support of newly formed special victim units.
- A very successful Army-wide “Sex Signals” training tour.

Some of the FY09 initiatives that were not completed, largely to a slower than expected build up in resources, have been carried over to FY10, including:

- SAPR/POSH Integration: Continuing the integration of SAPR and POSH organizations and functions down to the small unit level in order to fully deploy the SHARP Program.
- Policy Revision: Revising Army SAPR Program policy in AR 600-20 continues, pending final resolution of SAPR and POSH integration.
- Online Social Networking Site: The social networking site is in the final stages of development and is intended to encourage Soldiers to actively engage with their peers and within their communities to foster respectful treatment of others and prevent sexual assault.
- Sexual Assault Prevention Training Videos: Two versions of a training video are planned for production to promote “I. A.M. Strong” prevention initiatives among Soldiers and leaders.
- Commander’s Resource Site: This permission-based, online resource/site is specifically for Commanders to facilitate the sharing of best practices, success stories, current initiatives and innovations.
- Promotions-on-Demand: This online site will feature “I. A.M. Strong” marketing, branding, and promotional materials to order or print on-demand.
- Institutional Training:
 - TRADOC continues to revise the curriculum throughout all PME Training courses to focus on preventing sexual assault and harassment.
 - In conjunction with national subject matter experts, TRADOC is preparing to implement an interactive, decision-making, and communications tool for use by all Soldiers.
 - U.S. Army Accessions Command is finalizing development of SHARP Training for Junior Reserve Officer Training Course (ROTC) Students, Senior ROTC Cadets, USMA Cadets and Future Soldier training conducted prior to entry into Army.

- **Web-based Data System:** This system upgrade will have increased data integrity of sexual assault reports and include Unit Identification Codes to provide unit level data to help commanders identify trends.

Plans for FY10

The primary focus during FY10 is to move forward with executing the Army's Sexual Assault Prevention Strategy and the "I. A.M. Strong" Campaign.

In addition to the actions carried over from FY09 cited above, the Army plans to initiate the following actions during FY10:

- The Trial Counsel Assistance Program (TCAP) of the Office of The Judge Advocate General plans several initiatives during FY10, including:
 - **Regional Conferences:** These seven conferences will be led by TCAP personnel and TCAP HQEs and contain training for Army prosecutors concerning the prosecution of special victim sexual assault cases.
 - **Outreach Program:** OTJAG plans 27 of these three-day events for new/relatively new counsel. Each event will be taught by TCAP uniformed personnel and HQEs and will include eight hours of sexual assault specific training.
 - **Advanced Advocacy:** TCAP plans to conduct five of these five-day courses for Army prosecutors. The instructor is a professional advocacy coach who has taught military advocates for more than 15 years.
 - **Forensic Evidence:** TCAP plans two of these five-day events to be taught by instructors from USACIL. The training will introduce Army prosecutors to the laboratory analysis involved in sexual assault cases.
- The National Guard Bureau is planning an FY10 Training Conference in collaboration with the National Guard Joint Substance Abuse Program.
- The Army Inspector General will publish a final report from its FY09 Army-wide inspection.
- Continue the very successful Army-wide "Sex Signals" training tour.
- Implement an "I. A.M. Strong" Concert Tour in CONUS and OCONUS from Jan – Apr 2010.

Part 2: Statistical Report

Analytic Discussion

There were 1512 unrestricted reports and 283 restricted reports of sexual assault in the Army during FY09. The total number of reports (restricted and unrestricted) increased 13% from FY08. However, the increase in reports is mitigated by a comparable increase in the active duty Soldier population during FY09. In fact, the rate of reported sexual assaults per 1000 active duty Soldiers was 2.6 for FY07, FY08 and FY09. Also, more reported cases means more victims are coming forward, which is one of the stated goals of the Army's sexual assault prevention strategy and "I. A.M. Strong" Campaign.

Additionally, as displayed in Figure 2-1 below, reported cases of sexual assault involving Soldiers in CENTCOM remains historically much lower than the rate of reported cases throughout the Army.

Reports of Sexual Assaults (Rate/1000) ¹	CY 2004 ²	CY 2005 ²	CY 2006	FY 2007 ³	FY 2008	FY 2009
Army Rate/1000	1.1	2.0	2.8	2.6	2.6	2.6
CENTCOM Rate/1000	0.6	0.9	1.2	0.8	1.4	1.4

Figure 2-1: Reported Sexual Assaults in the Army – Rate/1000 (2004 - 2009)

Note 1: Includes restricted and unrestricted reports.

Note 2: Restricted reporting did not go into effect until June 2005.

Note 3: Beginning in 2007, DoD directed reporting be by fiscal year, not calendar year.

The disparity between the Army-wide and CENTCOM rates/1000 calls into question whether sexual assaults actually occur at a much lower rate in CENTCOM, or whether sexual assaults are reported at a much lower rate than the rest of the Army. Current available data and survey findings are not definitive, but do suggest that under-reporting is more prevalent among deployed Soldiers and that the rate of sexual assaults in CENTCOM could be comparable to the total Army rate.

Enclosures 1 through 6 contain the detailed sexual assault data in the reporting formats required by DoD for restricted and unrestricted reports. Data in these enclosures represent cases reported Army-wide and in the CENTCOM Combat Area of Interest (CAI) during FY09.

Finally, Enclosure 7 (Sexual Assault Case Synopses) provides additional details of sexual assault cases completed during FY09. These details include disposition information and brief synopses for all cases investigated by CID where the victim or the alleged perpetrator was a Soldier.

Unrestricted Reporting

This section of the report provides information about the 1512 unrestricted reports investigated by CID in FY09. The complete unrestricted report data is in Enclosure 1 (Unrestricted Report Matrix), while Enclosure 4 (Combat Areas of Interest Unrestricted Report Matrix) contains specific data about the 183 unrestricted reports investigated by CID in the CENTCOM AOR. With its strong emphasis on sexual assault prevention and corresponding “I. A.M. Strong” Campaign, the Army anticipated there would be an increase in sexual assault reports (both restricted and unrestricted).

The Army welcomes victims’ increased confidence to provide them support and care and the ability to hold offenders accountable. Each reported case of sexual assault helps close the gap between reported cases and the actual assaults, increases other victim’s propensity to report, discourages further assaults, and assists the Army in meeting its goal to eliminate this crime.

Victims

Figure 2-2 shows the breakout of victims (service members and non-service members) and each type of sexual assault investigated in the 1512 FY09 unrestricted reports. The proportion of assault type (e.g. 60% rape/aggravated sexual assault cases) and cases with service member victims (69%) are both comparable to the data reported in FY08.

Victim Status by Assault Type (all unrestricted cases)	Service Member Victim	Non-Service Member Victim	Total Cases	Percent of Total
Rape	287	224	511	34%
Non-Consensual Sodomy	53	24	77	5%
Aggravated Sexual Assault	271	121	392	26%
Aggravated Sexual Contact	33	18	51	3%
Abusive Sexual Contact	97	23	120	8%
Wrongful Sexual Contact	292	58	350	23%
Indecent Assault	8	3	11	1%
Total	1041	471	1512	100%

Figure 2-2: Victim Status by Assault Type (FY09 Unrestricted Cases)

Most demographical trends regarding Army victims have also remained relatively consistent over the past few years, specifically with respect to age, rank, and gender. For example, 70% of Army sexual assault victims in completed FY09 investigations were 24 years old, or younger; compared to 74% in FY08. Also, 88% of Army victims in FY09 were in the grades E1-E4; compared to 89% in FY08.

The percentage of male Army victims reported in sexual assault cases was 10% during FY09; compared to 9% in FY08.

Victims in reported sexual assaults in CENTCOM during FY09 tended to be older and of higher rank than victims in Army-wide cases. Specifically, 75% of Army

victims in CENTCOM reported cases were E1-E4 compared to 88% of victims Army-wide. Similarly, 63% of victims in CENTCOM reports were 24 years old or younger, compared to 70% Army-wide. Both of these trends are consistent with the FY08 report.

Subjects

Trends regarding alleged Army offenders also remained consistent in FY09. Identified alleged offenders were 99% male in both FY08 and FY09. The percentage of alleged offenders who were E1-E4 was 59% in FY09, compared to 62% in FY08. Also, 47% in of alleged offenders in FY09 were 24 years old or younger, compared to 48% in FY08.

Additionally, 64% of all completed investigations resulted in founded allegations with sufficient evidence for sexual assault. This is also consistent with recent years where the percentage has ranged between 60-70%.

Figure 2-3 shows the breakout of subjects (alleged offenders) and each type of sexual assault investigated in FY09 unrestricted reports. The proportion of FY09 cases with service member subjects (81%) is slightly higher than the 78% reported in FY08 cases. The percentage of unidentified offenders in FY09 was identical to FY08 at 16%.

Offender Status by Assault Type (all unrestricted cases)	Service Member Offender	Non-Service Member Offender	Unidentified Offender	Total Cases	Percent of Total
Rape	410	13	88	511	34%
Non-Consensual Sodomy	57	3	17	77	5%
Aggravated Sexual Assault	327	5	60	392	26%
Aggravated Sexual Contact	47	0	4	51	3%
Abusive Sexual Contact	104	8	8	120	8%
Wrongful Sexual Contact	278	36	36	350	23%
Indecent Assault	10	0	1	11	1%
Total	1233	65	214	1512	100%

Figure 2-3: Offender Status by Assault Type (FY09 Unrestricted Cases)

Subjects in reported sexual assaults in CENTCOM during FY09 also tended to be older and higher rank than subjects in Army-wide cases. Specifically, 38% of Army subjects in CENTCOM reported cases were E1-E4 compared to 59% of subjects Army-wide. (Note: 52% of identified Army subjects in CENTCOM were E5-E9, compared to 36% Army-wide). Similarly, 29% of subjects in CENTCOM reports were 24 years old or younger, compared to 47% in Army-wide reports.

Overview of Reports

The unrestricted reports of sexual assault discussed above, and detailed in Enclosure 1, represent all cases reported to CID during FY09 in which either the victim or alleged offender was a service member, but neither was a juvenile. Each unrestricted report is thoroughly investigated and documented by CID, regardless if the case is later determined to be unfounded.

While other jurisdictions, at the discretion of the special agent in charge, may dispose of reports of sexual assault before opening an investigation, the Army's practice is to formally investigate every allegation. Although this practice may contribute to a seemingly higher number of cases, it demonstrates the Army's commitment to thoroughly investigate all unrestricted reports of sexual assault.

The length of time to complete a sexual assault criminal investigation during FY09 averaged 95 days, slightly higher than 89 days in FY08. However, each case is unique and the amount of time it takes to complete an investigation is dependent on several factors, including: type of complaint, delays in reporting the incident, ages and types of victims, amount of physical evidence, and cooperative or uncooperative witnesses. As a result, 477 investigations started during FY09 remained open at the end of the FY09, while 1035 were complete.

Information regarding 1109 subjects (alleged offenders) in the 1035 and investigations completed during FY09 include:

- 406 subjects had no action taken against them due to unfounded allegations, insufficient evidence, victim declined to participate, etc; reducing the number of subjects available for disciplinary action to 703.
(Note: A case is considered unfounded when CID determines, based on the results of a criminal investigation, that the alleged criminal offense did not occur. Similarly, insufficient evidence cases are those which do not have adequate physical evidence or witnesses to reasonably support a criminal allegation or a successful judicial or non-judicial action).
- 70 subjects (in founded/substantiated cases) could not be identified, reducing the number of subjects available for disciplinary action to 633.
- 91 subjects were processed under civilian or foreign authority, reducing the number of service member subjects available for disciplinary action to 542.
- Commanders declined action on 31 subjects, pursuant to UCMJ rules of Courts Martial, reducing the number of service member subjects available for disciplinary action to 511.
- 184 subjects had action pending at the end of FY09, reducing the number of service member subjects available for disciplinary action to 327.
- All 327 service member subjects had action taken (administrative or disciplinary) against them.
 - 82 Courts-martial
 - 161 Non-judicial Punishments
 - 12 Administrative Discharges
 - 72 Administrative/other Actions

Additionally, there were 327 investigations from reports made from FY04 to FY08 that were completed in FY09. Information regarding 596 subjects (alleged offenders) in those 327 investigations:

- 148 subjects had no action taken against them due to unfounded allegations, insufficient evidence, victim declined to participate, etc; reducing the number of subjects available for disciplinary action to 448.
- 24 subjects (in founded/substantiated cases) could not be identified, reducing the number of subjects available for disciplinary action to 424.
- 50 subjects were processed under civilian or foreign authority, reducing the number of service member subjects available for disciplinary action to 374.
- Commanders declined action on 29 subjects, pursuant to UCMJ rules of Courts Martial, reducing the number of service member subjects available for disciplinary action to 345.
- 18 subjects had action pending at the end of FY09, reducing the number of service member subjects available for disciplinary action to 327.
- All 327 service member subjects had action taken (administrative or disciplinary) against them.
 - 128 Courts-martial
 - 116 Non-judicial Punishments
 - 17 Administrative Discharges
 - 66 Administrative/other Actions

The Army continues to monitor all investigations that were not completed by 30 Sep 09, and will report their status, as required, in quarterly reports submitted to the DoD Sexual Assault Prevention and Response Office (SAPRO) throughout FY10.

Restricted Reporting

This section of the report provides information about the restricted reports filed by Soldiers during FY09. The complete restricted report data is contained in Enclosure 2 (Restricted Report Matrix), while Enclosure 5 (Combat Areas of Interest Restricted Report Matrix) contains data specifically for restricted reports from the CENTCOM AOR.

Victims

During FY09, the Army recorded 343 restricted reports, of which 60 reports later changed to unrestricted. This includes 41 restricted reports in the CENTCOM Combat Area of Interest, of which 3 reports later changed to unrestricted.

Some restricted report victim demographics were comparable to unrestricted reports as 70% were age 24 or younger for both. However, nearly 13% of the victims in FY09 restricted reports were male (compared to 10% unrestricted); and 77% were E1-E4, compared to 88% in unrestricted reports.

Similar to the demographics in CENTCOM unrestricted reports, victims in FY09 restricted reports among deployed units tended to be older and higher rank than victims in Army-wide restricted reports. Specifically, 63% of Army victims in

CENTCOM reported cases were E1-E4 compared to 77% of victims Army-wide. Similarly, 57% of victims in CENTCOM restricted reports were 24 years old or younger, compared to 70% in Army-wide restricted reports.

Overview of Reports

There are some notable contrasts between restricted and unrestricted reports. For example, only 52% of restricted reports were for alleged assaults that occurred on a military installation, compared to 68% for unrestricted reports. Additionally, a much higher percentage (13%) of victims filing restricted reports waited over a year to file their report, compared to only 6% of unrestricted reports.

Service Referrals for Victims of Sexual Assault

The complete Army-wide data regarding victim services is contained in Enclosure 3 (Service Referrals for Victims of Sexual Assault), while Enclosure 6 (Service Referrals for Victims of Sexual Assault - CAI) contains data specifically for the CENTCOM AOR.

MEDCOM reported caring for 1149 sexual assault patients in FY09, a 9% increase from FY08. Of the patients, 72% were active duty Soldiers, a 4% decrease from FY08.

Unrestricted Reports

Soldiers and other service members receiving victim services related to unrestricted reports of sexual assault continue to overwhelmingly use military facilities (greater than 99%) rather than civilian facilities. This includes 23 victims who received services for an incident that occurred prior to joining the military. Additionally, 199 SAFE exams were conducted for unrestricted reports.

All victims receiving services related to unrestricted reports of sexual assault in CENTCOM did so in military facilities, including 9 SAFE exams.

Restricted Reports

More than 99% of Soldiers and other service members receiving victim services related to restricted reports of sexual assault did so in military facilities. This includes 14 victims who received services for an incident that occurred prior to joining the military. Additionally, 57 SAFE exams were conducted for restricted reports.

All victims receiving services related to restricted reports of sexual assault in CENTCOM did so in military facilities, including 6 SAFE exams.

Non-Military (DoD Civilians, Contractors, etc.)

There were 72 non-military personnel who received victim services related to unrestricted reports of sexual assault during FY09. Most of these victims (63) received services in military facilities, including one in the CENTCOM AOR. Restricted reports were not offered to non-military personnel during FY09.

Enclosure 1 - Unrestricted Report Matrix

Army FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY	
A. FY09 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING MILITARY MEMBERS (BY or AGAINST Service Members)	FY09 Totals
# VICTIMS in FY09 Unrestricted Reports	1658
# Service Member victims	1151
# Non-Service Member victims	507
# Unrestricted Reports in the following categories	1512
# Service Member on Service Member	762
# Service Member on Non-Service Member	472
# Non-Service Member on Service Member	65
# Unidentified Subject on Service Member	213
# Unrestricted Reports of sexual assault occurring	1512
# On military installation	1027
# Off military installation	475
# Unidentified location	10
# Investigations (From FY09 Unrestricted Reports)	1512
# Pending completion as of 30 SEP 09	477
# Completed as of 30 SEP 09	1035
# Restricted Reports	343
# Converted from Restricted Report to Unrestricted Report*	60
# FY09 RESTRICTED REPORTS REMAINING RESTRICTED	283
B. INCIDENT DETAILS	FY09 TOTALS
Length of time between sexual assault and Unrestricted Report	1512
# Reports made within 3 days of sexual assault	638
# Reports made within 4 to 30 days after sexual assault	437
# Reports made within 31 to 365 days after sexual assault	351
# Reports made longer than 365 days after sexual assault	86
# Unknown	0
Time of sexual assault	1512
# Midnight to 6 am	527
# 6 am to 6 pm	380
# 6 pm to midnight	554
# Unknown	51
Day of sexual assault	1512
# Sunday	310
# Monday	155
# Tuesday	136
# Wednesday	124
# Thursday	151
# Friday	223
# Saturday	362
# Unknown	51
C. FY09 SUMMARY OF THE COMPLETED INVESTIGATIONS	FY09 TOTALS
# Completed investigations	1035
# Investigations with more than one victim, subject, or both	186
# SUBJECTS in the completed investigations	1109
# Your Service Member subjects	865
# Service Member subjects from other Services	18
# Non-Service Member subjects	56
# Unidentified subjects	170
# VICTIMS in the completed investigations	1143
# Service Member victims	781
# Non-Service Member victims	328
# Service Member victims from other Services	34
# Unknown	0
D. FY09 FINAL DISPOSITIONS IN UNRESTRICTED REPORTS (Subjects)	FY09 TOTALS
# Final dispositions for FY09 SUBJECTS in the following categories	1109
DoD Action Precluded:	567
# Subject unknown	70
# Unfounded	88
# Civilian or Foreign Authority-Person subject to the UCMJ	50
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	41
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	318
# Probable cause for only non-sexual assault offense	1
# Subject Deceased or Deserted	6
# Victim's death	0
# Victim declined to participate in the military justice action	16
# Insufficient evidence of any offense	125
# Statute of limitations	0
# Unfounded	170
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	31
# Pending completion as of 30 SEP 09	184
# Completed as of 30 SEP 09	327
# Evidence Supports Command Action for Sexual Assault (FY09 Subjects)	327
# Courts-Martial Charge Preferred (Initiated)	82
# Nonjudicial punishments (Article 15 UCMJ)	161
# Administrative discharges	12
# Other administrative actions	72

E. FINAL DISPOSITIONS FOR SUBJECTS IN UNRESTRICTED REPORTS (Reports made prior to FY09 that were completed in FY09)	FY09 TOTALS
# Investigations pending from reports made from FY04 to FY08 that were completed as of 30 SEP 09	335
# Pre-FY09 Investigations pending STILL PENDING completion as of 30 SEP 09	7
# Pre-FY09 Investigations COMPLETED as of 30 SEP 09	328
# SUBJECTS for disposition in FY09 - from Pre-FY09 reports - resolved as of 30 SEP 09	596
# Final FY09 DISPOSITIONS for SUBJECTS from FY04 to FY08 reports and investigations that were completed in FY09	596
DoD Action Precluded:	222
# Subject unknown	24
# Unfounded	0
# Civilian or Foreign Authority-Person subject to the UCMJ	39
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	11
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	148
# Probable cause for only non-sexual assault offense	2
# Subject Deceased or Deserted	0
# Victim's death	0
# Victim declined to participate in the military justice action	17
# Insufficient evidence of any offense	127
# Statute of limitations	2
# Unfounded	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	29
# Pending completion as of 30 SEP 09	18
# Completed as of 30 SEP 09	327
# Evidence Supports Command Action for Sexual Assault (reports that were made prior to FY09 and dispositions completed in FY09)	327
# Courts-Martial Charge Preferred (Initiated)	128
# Nonjudicial punishments (Article 15 UCMJ)	116
# Administrative discharges	17
# Other administrative actions	66
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	
** Command Action Precluded or Declined for Sexual Assault: The command cannot or did not take action for one of the following reasons: Probable cause for only non-sexual assault offense, Offender's or victim's death, victim declined to participate in the military justice action, insufficient evidence of any offense, and statute of limitations.	
** Probable Cause for only Non-Sexual Assault Offense: The commander took action on a non-sexual assault offense because the allegations made did not meet the required elements of, or there was insufficient evidence for, any of the UCMJ offense constituting the SAPR definition of sexual assault, but allegations did meet the required elements of, and sufficient evidence for, another offense under the UCMJ (e.g., adultery, simple assault, assimilated crime under Article 134, UCMJ).	
** Offender's Death: Commander action is precluded due to the death of the alleged offender.	
** Victim's Death: Commander action is precluded due to the death of the victim.	
** Victim Declined to Participate in the Military Justice Action: Commander action is precluded or declined because the victim has declined to further cooperate with military authorities or prosecutors in a military justice action. See insufficient evidence definition for clarification.	
** Insufficient Evidence of any Offense: Although the allegations made against the alleged offender meet the required elements of at least one of the criminal offenses that constitute the SAPR definition of sexual assault, there is not enough evidence to legally prove those elements beyond a reasonable doubt and proceed with the case. (Note: If the reason for concluding that there is insufficient evidence is because the victim declined to cooperate, then that reason for being unable to take action should be entered as "victim declined to participate in the military justice action", not "that there was just "insufficient evidence")	
** Statute of Limitations: Determination that pursuant to Article 43 of the UCMJ the applicable statute of limitations has expired and the case may not be prosecuted.	

ARMY FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT - SERVICE MEMBER STATUS BY GENDER																			
F. REPORTED SEXUAL ASSAULTS INVOLVING SERVICE MEMBERS (BY or AGAINST Service Members) IN THE BELOW CATEGORIES FOR ALL FY09 INVESTIGATIONS (UR)																			
	Male on Female	Male on Male	Female on Male	Female on Female	Unknown on Male	Unknown on Female	FY09 Totals												
	1197	86	5	12	23	187	1512												
	# Service Member on Service Member	669	78	4	11	0	762												
	# Service Member on Non-Service Member	468	3	0	1	0	472												
	# Non-Service Member on Service Member	58	6	1	0	0	65												
	# Undersubject on Service Member	2	1	0	0	23	187												
		2	1	0	0	23	187												
FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT - SERVICE MEMBER STATUS BY SEXUAL ASSAULT TYPE																			
Pre-FY08 INCIDENTS																			
FY08 INCIDENTS																			
FY09 INCIDENTS																			
	Rape (Art. 120)	Indecent Assault (Art. 134)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit These Offenses	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	FY09 Totals
	37	11	7	0	51	38	8	12	32	5	0	423	354	43	108	318	65	0	1512
	14	7	3	0	14	22	6	8	24	1	0	158	161	23	73	196	29	0	762
	12	3	1	0	26	10	2	3	5	2	0	188	111	16	20	54	21	0	472
	1	0	0	0	0	1	0	1	0	0	0	12	4	0	7	36	3	0	65
	10	1	3	0	11	5	0	0	3	2	0	67	55	4	8	32	12	0	213
	24	9	6	0	25	31	6	10	32	4	0	243	246	31	117	321	46	0	1151
	2	7	2	0	25	29	6	7	27	2	0	243	240	27	95	243	21	0	992
	1	2	4	0	0	2	0	3	5	2	0	0	0	9	22	78	25	0	159
TIME OF INCIDENT BY OFFENSE TYPE FOR ALL INVESTIGATIONS OF FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT FOR REPORTS MADE IN FY09																			
Time of sexual assault	37	11	7	0	51	38	8	12	32	5	0	423	354	43	108	318	65	0	1512
# Midnight to 6 am	3	2	2	0	5	10	1	1	2	6	3	172	166	15	22	83	25	0	527
# 6 am to 6 pm	6	3	1	0	8	6	2	3	6	1	0	95	69	11	41	109	21	0	380
# 6 pm to midnight	20	5	4	0	35	20	3	6	17	4	0	151	110	17	34	111	18	0	524
# Unknown	8	1	0	0	3	2	0	0	3	0	0	0	0	0	0	0	0	0	0
Day of sexual assault	37	11	7	0	51	38	8	12	32	5	0	423	354	43	108	318	65	0	1512
# Sunday	3	1	4	0	4	8	0	2	10	1	0	87	58	0	20	45	14	0	310
# Monday	3	1	1	0	3	6	1	2	7	3	0	0	0	0	0	0	0	0	0
# Tuesday	3	1	1	0	3	6	1	2	7	3	0	0	0	0	0	0	0	0	0
# Wednesday	4	3	0	0	4	3	0	0	2	1	0	25	27	4	11	42	1	0	126
# Thursday	3	2	0	0	6	4	1	2	3	0	0	38	30	3	13	40	5	0	151
# Friday	4	1	0	0	8	6	4	1	6	1	0	55	55	2	18	56	11	0	223
# Saturday	8	2	1	0	17	4	3	4	5	0	0	108	82	17	21	68	71	0	362
# Unknown	8	1	0	0	3	2	0	1	3	0	0	7	9	0	1	15	1	0	51

64. DEMOGRAPHICS ON SUBJECTS FOR COMPLETED FY09 INVESTIGATIONS	FY09 INCIDENTS										FY08 INCIDENTS										FY09 Totals			
	Rate (Art. 120)	Indecent Assault (Art. 134)	Sodomy (Art. 125)	Attempts to Commit Offenses	Rate (Art. 120)	Aggravated Assault (Art. 120)	Aggravated Social Contact (Art. 120)	Abusive Social Contact (Art. 120)	Wrongful Social Contact (Art. 120)	Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rate (Art. 120)	Aggravated Assault (Art. 120)	Aggravated Social Contact (Art. 120)	Abusive Social Contact (Art. 120)	Wrongful Social Contact (Art. 120)	Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	FY09 Totals					
Gender of SUBJECTS	15	10	4	0	44	25	7	11	29	3	0	272	242	33	88	276	49	0	1109					
# Male	10	8	7	0	35	21	0	10	26	0	0	211	203	26	89	241	35	0	102					
# Female	5	2	2	0	9	4	0	1	3	3	0	58	37	7	6	31	14	0	170					
# Unknown																								
Age of SUBJECTS	15	10	4	0	44	25	7	11	29	3	0	272	242	33	88	276	49	0	1109					
# 16-19	2	1	0	0	5	2	1	2	2	0	0	12	17	2	16	23	4	0	92					
# 20-24	2	1	0	0	14	5	0	2	4	0	0	73	109	12	29	71	20	0	343					
# 25-34	3	4	2	0	10	6	2	4	13	2	0	90	62	12	25	95	12	0	345					
# 35-49	0	0	0	0	6	5	4	2	8	0	0	33	17	1	9	45	3	0	140					
# 50-64	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0					
# 65 and older	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0					
# Unknown	6	1	2	0	9	4	0	2	1	1	0	59	37	5	6	35	9	0	176					
Grade of SUBJECTS	15	10	4	0	44	25	7	11	29	3	0	272	242	33	88	276	49	0	1109					
# E1-E4	4	1	0	0	16	11	1	5	9	1	0	117	145	19	52	114	29	0	524					
# E5-E9	5	6	2	0	15	10	5	5	15	1	0	76	52	7	21	90	9	0	319					
# WO1-WO5	1	0	0	0	0	0	0	0	1	0	0	1	1	1	2	0	0	0	7					
# O1-O3	0	0	0	0	2	0	0	0	1	0	0	5	3	1	1	3	0	0	16					
# O4-O10	0	2	0	0	1	0	0	0	1	0	0	5	1	0	2	0	0	0	13					
# Cadet/Midshipman	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	4					
# Civilian	0	0	0	0	0	0	0	0	0	0	0	10	2	0	3	9	2	0	27					
# Foreign national/military	0	0	0	0	0	0	0	0	0	0	0	1	1	0	3	24	0	0	29					
# Unknown	5	1	2	0	9	4	0	2	1	1	0	58	37	5	6	31	9	0	170					
Service of SUBJECTS	15	10	4	0	44	25	7	11	29	3	0	272	242	33	88	276	49	0	1109					
# Army	10	9	2	0	35	21	7	10	26	2	0	203	197	26	73	206	38	0	865					
# Navy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7					
# Marines	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	0	0	6					
# Air Force	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5					
# Coast Guard	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0					
# Civilian	0	0	0	0	0	0	0	0	0	0	0	11	3	0	6	33	2	0	56					
# Unknown	5	1	2	0	9	4	0	2	1	1	0	58	37	5	6	31	9	0	170					
Status of SUBJECTS	15	10	4	0	44	25	7	11	29	3	0	272	242	33	88	276	49	0	1109					
# Active Duty	9	9	2	0	34	19	7	10	25	1	0	189	189	25	71	192	38	0	819					
# Reserve (Activated)	1	0	0	0	1	0	0	0	2	1	0	6	3	1	2	10	0	0	31					
# National Guard (Activated)	0	0	0	0	0	0	0	0	0	0	0	7	6	2	4	10	0	0	31					
# Civilian	0	0	0	0	0	0	0	0	0	0	0	11	3	0	6	33	2	0	56					
# Unknown	5	1	2	0	9	4	0	2	1	1	0	58	37	5	6	31	9	0	170					

Enclosure 2 - Restricted Report Matrix

ARMY FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	FY09 TOTALS
# Service Member VICTIMS in Restricted Reports	343
# Reported sexual assaults AGAINST Service Member victims in the following categories	343
# Service Member on Service Member	98
# Non-Service Member on Service Member	14
# Unidentified subject on Service Member	231
# Reported sexual assaults occurring	343
# On military installation	171
# Off military installation	161
# Unidentified location	11
B. INCIDENT DETAILS	FY09 TOTALS
Length of time between sexual assault and Restricted Report	343
# Reports made within 3 days of sexual assault	132
# Reports made within 4 to 30 days after sexual assault	70
# Reports made within 31 to 365 days after sexual assault	82
# Reports made longer than 365 days after sexual assault	41
# Unknown	18
Time of sexual assault incident	343
# Midnight to 6 am	136
# 6 am to 6 pm	62
# 6 pm to midnight	112
# Unknown	33
Day of sexual assault incident	343
# Sunday	60
# Monday	43
# Tuesday	29
# Wednesday	34
# Thursday	29
# Friday	55
# Saturday	75
# Unknown	18
C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	FY09 TOTALS
# VICTIMS	343
# Army victims	319
# Navy victims	0
# Marines victims	0
# Air Force victims	3
# Coast Guard	0
# Unknown	21
D. DEMOGRAPHICS FOR FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 TOTALS
Gender of VICTIMS	343
# Male	41
# Female	285
# Unknown	17
Age of VICTIMS	343
# 16-19	72
# 20-24	139
# 25-34	77
# 35-49	14
# 50-64	0
# 65 and older	0
# Unknown	41
Grade of VICTIMS	343
# E1-E4	241
# E5-E9	47
# WO1-WO5	3
# O1-O3	14
# O4-O10	4
# Cadet/Midshipman	2
# Civilian	0
# Foreign national/military	0
# Unknown	32
Status of VICTIMS	343
# Active Duty	274
# Reserve (Activated)	3
# National Guard (Activated)	40
# Civilian	0
# Cadet/Midshipman	2
# Unknown	24

Enclosure 3 - Service Referrals for Victims of Sexual Assault

ARMY FY09 SERVICE REFERRALS FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY	
<i>NOTE: Support Services are for all victims in each category that were referred for services during the reporting period, regardless of when their report was made (current or prior quarters).</i>	
A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	402
# Medical	213
# Counseling	159
# Legal	30
# CIVILIAN facilities (Referred by DoD)	1
# Medical	1
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	199
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims making an UR that received service referrals for an incident that occurred prior to military service	23
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	157
# Medical	104
# Counseling	50
# Legal	3
# CIVILIAN facilities (Referred by DoD)	1
# Medical	1
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	57
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims making a RR that received service referrals for an incident that occurred prior to military service	14
C. SUPPORT SERVICE REFERRALS TO NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	63
# Medical	36
# Counseling	17
# Legal	10
# CIVILIAN facilities (Referred by DoD)	9
# Medical	9
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	72
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0

Enclosure 4 - Combat Areas of Interest Unrestricted Report Matrix

ARMY COMBAT AREAS OF INTEREST - FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY	
A. FY09 COMBAT AREAS OF INTEREST REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING MILITARY MEMBERS (BY or AGAINST Service Members)	ARMY FY09 TOTALS
# VICTIMS in FY09 Unrestricted Reports	195
# Service Member victims	188
# Non-Service Member victims	7
# Sexual assault Unrestricted Reports in the following categories	183
# Service Member on Service Member	108
# Service Member on Non-Service Member	5
# Non-Service Member on Service Member	33
# Unidentified Subject on Service Member	37
# Unrestricted Reports of sexual assault occurring	183
# On military installation	176
# Off military installation	7
# Unidentified location	0
# Investigations (From FY09 Unrestricted Reports)	183
# Pending completion as of 30 Sep 09	38
# Completed as of 30 Sep 09	145
# Restricted Reports	41
# Converted from Restricted Report to Unrestricted Report	3
# FY09 RESTRICTED REPORTS REMAINING RESTRICTED	38
B. FY09 INCIDENT DETAILS	ARMY FY09 TOTAL
Length of time between sexual assault and Unrestricted Report	183
# Reports made within 3 days of sexual assault	89
# Reports made within 4 to 30 days after sexual assault	48
# Reports made within 31 to 365 days after sexual assault	36
# Reports made longer than 365 days after sexual assault	10
# Unknown	0
Time of sexual assault	183
# Midnight to 6 am	42
# 6 am to 6 pm	41
# 6 pm to midnight	52
# Unknown	48
Day of sexual assault	183
# Sunday	24
# Monday	14
# Tuesday	27
# Wednesday	20
# Thursday	21
# Friday	12
# Saturday	17
# Unknown	48
C. FY09 SUMMARY OF THE COMPLETED INVESTIGATIONS	ARMY FY09 TOTAL
# Completed investigations	145
# Investigations with more than one victim, subject, or both	12
# SUBJECTS in the completed investigations	150
# Your Service Member subjects	92
# Service Member subjects from other Services	2
# Non-Service Member subjects	29
# Unidentified subjects	27
# VICTIMS in the completed investigations	155
# Service Member victims	148
# Non-Service Member victims	3
# Service Member victims from other Services	4
# Unknown	0

D. FY09 FINAL DISPOSITIONS (Subjects)	ARMY FY09 TOTAL
# Final dispositions for FY09 SUBJECTS in the following categories	150
DoD Action Precluded	35
# Offender unknown	18
# Unfounded	9
# Civilian or Foreign Authority-Person subject to the UCMJ	1
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	7
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	30
# Probable cause for only non-sexual assault offense	0
# Offender's death	1
# Victim's death	0
# Victim declined to participate in the military justice action	1
# Insufficient evidence of any offense	9
# Statute of limitations	0
# Unfounded	19
# Commander declined action pursuant to UCMJ Rules for Courts-Martial 306(c)(1)***	5
# Pending completion as of 30 Sep 09	28
# Completed as of 30 Sep 09	52
# Evidence Supports Command Action for Sexual Assault (FY09 Subjects)	52
# Courts-Martial Charge Preferred (Initiated)	5
# Nonjudicial punishments (Article 15 UCMJ)	23
# Administrative discharges	0
# Other administrative actions	24
E. FINAL DISPOSITIONS FOR SUBJECTS (Reports made prior to FY09 that were completed in FY09)	ARMY FY09 TOTAL
# Investigations pending from reports made prior to FY09 that were completed in FY09	36
# Pre-FY09 Investigations pending as of 30-SEP-08 - STILL PENDING completion as of 30 Sep 09	1
# Pre-FY09 Investigations pending as of 30-SEP-08 - COMPLETED as of 30 Sep 09	35
# SUBJECTS for disposition in FY09 - from Pre-FY09 reports - as of 30 Sep 09	86
# Final FY09 dispositions for SUBJECTS from Pre-FY09 reports that were completed in FY09	86
DoD Action Precluded	2
# Offender unknown	2
# Unfounded	0
# Civilian or Foreign Authority-Person subject to the UCMJ	0
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	0
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	31
# Probable cause for only non-sexual assault offense	0
# Offender's death	0
# Victim's death	0
# Victim declined to participate in the military justice action	0
# Insufficient evidence of any offense	14
# Statute of limitations	0
# Unfounded	17
# Commander declined action pursuant to UCMJ Rules for Courts-Martial 306(c)(1)***	1
# Pending completion as of 30 Sep 09	1
# Completed as of 30 Sep 09	52
# Evidence Supports Command Action for Sexual Assault (reports that were made prior to FY09 and dispositions completed in FY09)	52
# Courts-Martial Charge Preferred (Initiated)	18
# Nonjudicial punishments (Article 15 UCMJ)	19
# Administrative discharges	0
# Other administrative actions	15
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	
** Command Action Precluded or Declined for Sexual Assault: The command cannot or did not take action for one of the following reasons: Probable cause for only non-sexual assault offense, Offender's or victim's death, victim declined to participate in the military justice action, insufficient evidence of any offense, and statute of limitations.	
** Probable Cause for only Non-Sexual Assault Offense: The commander took action on a non-sexual assault offense because the allegations made did not meet the required elements of, or there was insufficient evidence for, any of the UCMJ offense constituting the SAPR definition of sexual assault, but allegations did meet the required elements of, and sufficient evidence for, another offense under the UCMJ (e.g., adultery, simple assault, assimilated crime under Article 134, UCMJ).	
** Offender's Death: Commander action is precluded due to the death of the alleged offender.	
** Victim's Death: Commander action is precluded due to the death of the victim.	
** Victim Declined to Participate in the Military Justice Action: Commander action is precluded or declined because the victim has declined to further cooperate with military authorities or prosecutors in a military justice action. See insufficient evidence definition for clarification.	
** Insufficient Evidence of any Offense: Although the allegations made against the alleged offender meet the required elements of at least one of the criminal offenses that constitute the SAPR definition of sexual assault, there is not enough evidence to legally prove those elements beyond a reasonable doubt and proceed with the case. (Note: If the reason for concluding that there is insufficient evidence is because the victim declined to cooperate, then that reason for being unable to take action should be entered as "victim declined to participate in the military justice action", not that there was just "insufficient evidence.")	
** Statute of Limitations: Determination that pursuant to Article 43 of the UCMJ the applicable statute of limitations has expired and the case may not be prosecuted.	
** Unfounded: Determination that the allegations, as made against the subject, do not meet all the legal elements of any of the SAPR sexual assault offenses. These cases are either false or baseless.	
*** Pursuant to the commander's option identified in Rules for Courts Martial 306(c)(1) no action was taken.	

ARMY COMBAT AREAS OF INTEREST - FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT - SERVICE MEMBER STATUS BY GENDER																				
F. REPORTED SEXUAL ASSAULTS INVOLVING SERVICE MEMBERS (BY or AGAINST Service Members) IN THE BELOW CATEGORIES FOR FY09 INVESTIGATIONS																				
	Male on Female	Male on Male	Female on Male	Female on Female	Unknown on Male	Unknown on Female	FY09 Totals						FY09 Totals							
# Service Member on Service Member	167	14	1	1	0	0	183													
# Service Member on Non-Service Member	100	6	1	1	0	0	108													
# Non-Service Member on Service Member	4	1	0	0	0	0	5													
# Undentified subject on Service Member	29	4	0	0	0	0	33													
# Undentified subject on Service Member	34	3	0	0	0	0	37													
ARMY COMBAT AREAS OF INTEREST - FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT - SERVICE MEMBER STATUS BY SEXUAL ASSAULT TYPE																				
REPORTS MADE IN FY09 Pre-FY08 INCIDENTS																				
	Rape (Art. 120)	Indecent Assault (Art. 134)	Sodomy (Art. 125)	Attempts to Commit these Offenses	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Aggravated Sexual Assault (Art. 120)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	FY09 Totals	
# Service Member on Service Member	6	2	0	0	5	3	1	2	2	0	0	1	2	2	2	2	0	0	0	183
# Service Member on Non-Service Member	4	1	0	0	3	2	1	2	2	0	0	1	2	2	2	2	0	0	0	108
# Non-Service Member on Service Member	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5
# Undentified subject on Service Member	2	1	0	0	2	1	0	0	0	0	0	0	2	0	0	0	0	0	0	33
# TOTAL Service Member Victims	6	2	0	0	5	3	1	2	2	0	0	1	2	2	2	2	0	0	0	183
# Service Member Victims: Female	6	2	0	0	5	3	1	1	1	0	0	1	1	1	1	1	0	0	0	174
# Service Member Victims: Male	0	0	0	0	0	0	0	1	1	0	0	0	1	1	1	1	0	0	0	14
TIME OF INCIDENT BY OFFENSE TYPE FOR ALL INVESTIGATIONS OF FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT FOR REPORTS MADE IN FY09																				
Time of sexual assault	6	2	0	0	5	3	1	2	2	0	0	1	2	2	2	2	0	0	0	183
# Midnight to 6 am	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	42
# 6 am to 6 pm	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	41
# 6 pm to midnight	0	0	0	0	1	1	1	1	0	0	0	1	1	0	0	0	0	0	0	52
# Unknown	6	1	0	0	4	2	0	2	0	0	0	2	0	0	0	0	0	0	0	48
Day of sexual assault	6	2	0	0	5	3	1	2	2	0	0	1	2	2	2	2	0	0	0	183
# Sunday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24
# Monday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	14
# Tuesday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	27
# Wednesday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20
# Thursday	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21
# Friday	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12
# Saturday	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	17
# Unknown	6	1	0	0	4	2	0	2	0	0	0	0	4	2	0	0	0	0	0	48

ARMY COMBAT AREAS OF INTEREST – FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT – SERVICE MEMBER STATUS BY SEXUAL ASSAULT TYPE																		
REPORTS MADE IN FY09 Pre-FY08 INCIDENTS				FY08 INCIDENTS														
Rape (Art. 120)	Indecent Assault (Art. 134)	Sodomy (Art. 125)	Attempts to Commit these Offenses	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	FY09 Totals
2	2	0	0	5	3	1	1	2	0	0	18	26	2	11	71	1	0	145
1	1	0	0	3	2	1	1	2	0	0	13	20	1	6	37	1	0	89
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
0	0	0	0	0	0	0	0	0	0	0	0	1	1	3	23	0	0	28
1	1	0	0	2	1	0	0	0	0	0	4	5	1	2	9	0	0	26
2	2	0	0	5	3	1	1	2	0	0	19	28	2	11	75	1	0	152
2	2	0	0	5	3	1	1	2	0	0	19	26	2	10	68	1	0	141
0	0	0	0	0	0	0	0	1	0	0	0	2	0	1	7	0	0	11
TIME OF INCIDENT BY OFFENSE TYPE FOR COMPLETED INVESTIGATIONS OF FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULT FOR REPORTS MADE IN FY09																		
2	2	0	0	5	3	1	1	2	0	0	18	26	2	11	71	1	0	145
0	1	0	0	0	0	0	0	1	0	0	4	5	0	3	17	0	0	31
0	0	0	0	0	0	0	0	0	1	0	2	5	1	5	23	0	0	37
0	0	0	0	1	1	1	1	0	0	0	8	11	1	3	18	1	0	45
2	1	0	0	4	2	0	0	1	0	0	4	5	0	0	13	0	0	32
2	2	0	0	5	3	1	1	2	0	0	18	26	2	11	71	1	0	145
0	0	0	0	0	0	0	0	1	0	0	0	2	0	3	13	0	0	19
0	0	0	0	0	0	0	0	0	0	0	4	4	0	1	3	0	0	12
0	0	0	0	0	0	1	0	0	0	0	2	5	1	3	9	1	0	22
0	0	0	0	0	1	0	0	0	0	0	1	2	1	0	14	0	0	19
0	1	0	0	0	0	0	0	0	0	0	2	3	0	3	7	0	0	16
0	0	0	0	0	0	0	0	1	0	0	1	2	0	0	7	0	0	11
0	0	0	0	1	0	0	0	0	0	0	4	3	0	1	5	0	0	14
2	1	0	0	4	2	0	0	1	0	0	4	5	0	0	13	0	0	32

G-2. REPORTED SEXUAL ASSAULTS INVOLVING SERVICE MEMBERS (BY or AGAINST Service Members) IN THE FOLLOWING CATEGORIES FOR COMPLETED FY09 INVESTIGATIONS

Service Member on Service Member
 # Service Member on Non-Service Member
 # Non-Service Member on Service Member
 # Unidentified subject on Service Member

TOTAL Service Member Victims
 # Service Member Victims: Female
 # Service Member Victims: Male

G-3. REPORTED SEXUAL ASSAULTS INVOLVING SERVICE MEMBERS (BY or AGAINST Service Members) IN THE FOLLOWING CATEGORIES FOR COMPLETED FY09 INVESTIGATIONS	Pre-FY08 INCIDENTS					FY08 INCIDENTS					FY09 INCIDENTS					FY09 Totals		
	Rape (Art. 120)	Indecent Assault (Art. 134)	Sodomy (Art. 125)	Attempts to Commit these Offenses	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)		Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)
REPORTS MADE IN FY09	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DEMOGRAPHICS ON VICTIMS FROM COMPLETED FY09 INVESTIGATIONS	COMPLETED FY09 INVESTIGATIONS																	
Gender of VICTIMS	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Male	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Female	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Age of VICTIMS	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 16-19	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 20-24	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 25-34	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 35-49	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 50-64	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 65 and older	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grade of VICTIMS	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# E1-E4	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# E5-E9	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# WO1-WO5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# O1-O3	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# O4-O10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Cadet/Midshipman	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian (US)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Foreign national civilian/military	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Service of VICTIMS	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Army	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Air Force	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Navy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Marine	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian/Foreign military	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Status of VICTIMS	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Active Duty	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Reserve (Activated)	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# National Guard (Activated)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian/Foreign military	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Cadet/Midshipman	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

REPORTS MADE IN FY09		Pre-FY08 INCIDENTS					FY08 INCIDENTS					FY09 INCIDENTS					FY09 Totals			
G-4. REPORTED SEXUAL ASSAULTS INVOLVING SERVICE MEMBERS (BY or AGAINST Service Members) IN THE FOLLOWING CATEGORIES FOR COMPLETED FY09 INVESTIGATIONS		Rape (Art. 120)	Indecent Assault (Art. 134)	Sodomy (Art. 125)	Attempts to Commit these Offenses	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	
DEMOGRAPHICS ON SUBJECTS FROM COMPLETED FY09 INVESTIGATIONS																				
Gender of SUBJECTS		2	2	0	0	5	3	1	1	2	0	0	18	29	2	11	73	1	0	
# Male		2	2	0	0	5	3	1	1	2	0	0	18	29	2	11	73	1	0	
# Female		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# Unknown		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Age of SUBJECTS		2	2	0	0	5	3	1	1	2	0	0	18	29	2	11	73	1	0	
# 16-19		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# 20-24		0	0	0	0	1	0	0	0	1	0	0	3	7	1	1	16	0	0	
# 25-34		0	0	0	0	1	1	1	1	0	0	0	5	9	0	3	27	1	0	
# 35-49		1	1	0	0	1	1	1	1	1	0	0	4	6	0	2	16	0	0	
# 50-64		0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	2	0	0	
# 65 and older		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# Unknown		1	1	0	0	2	1	1	0	0	0	0	4	5	1	3	12	0	0	
Grade of SUBJECTS		2	2	0	0	5	3	1	1	2	0	0	18	29	2	11	73	1	0	
# E1-E4		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# E5-E9		1	1	0	0	3	1	1	1	1	0	0	5	10	0	2	14	0	0	
# WO1-WO5		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# O1-O3		0	0	0	0	0	0	0	0	0	0	0	1	1	0	1	0	0	0	
# O4-O10		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# Cadet/Midshipman		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# Civilian (US)		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# Foreign national civilian/military		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# Unknown		1	1	0	0	2	1	1	0	0	0	0	4	5	1	2	10	0	0	
Service of SUBJECTS		2	2	0	0	5	3	1	1	2	0	0	18	29	2	11	73	1	0	
# Army		1	1	0	0	3	2	1	1	2	0	0	12	22	1	6	39	1	0	
# Air Force		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# Navy		0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	
# Marine		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# Civilian/Foreign military		0	0	0	0	0	0	0	0	0	0	0	1	1	0	3	24	0	0	
# Unknown		1	1	0	0	2	1	1	0	0	0	0	4	5	1	2	10	0	0	
Status of SUBJECTS		2	2	0	0	5	3	1	1	2	0	0	18	29	2	11	73	1	0	
# Active Duty		1	1	0	0	3	2	1	0	1	0	0	9	16	0	3	24	1	0	
# Reserve (Activated)		0	0	0	0	0	0	0	0	1	0	0	2	1	0	1	4	0	0	
# National Guard (Activated)		0	0	0	0	0	0	0	0	0	0	0	2	6	1	2	11	0	0	
# Civilian/Foreign military		0	0	0	0	0	0	0	0	0	0	0	1	1	0	3	24	0	0	
# Cadet/Midshipman		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
# Unknown		1	1	0	0	2	1	1	0	0	0	0	4	5	1	2	10	0	0	

ARMY COMBAT AREAS OF INTEREST - FY09 LOCATION OF UNRESTRICTED REPORTS BY TYPE OF OFFENSE (4th QUARTER) (30 Sep 09)																			
Pre-FY08 INCIDENTS																			
FY08 INCIDENTS																			
FY09 INCIDENTS																			
H. TOTAL # FY09 COMBAT AREAS OF INTEREST UNRESTRICTED REPORTS OF SEXUAL ASSAULT (All Rpts)	Rape (Art. 120)	Indecent Assault (Art. 134)	Sodomy (Art. 125)	Attempts to Commit these Offenses	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy	Attempts to Commit Offenses (Art. 80)	FY09 Totals
TOTAL UNRESTRICTED REPORTS	6	2	0	0	5	3	1	2	2	0	0	28	31	3	15	82	3	0	183
Arabian Peninsula, Iraq & Northern Red Sea																			
Bahrain	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	4	2	0	0	3	3	1	1	1	0	0	18	26	3	11	62	2	0	137
Jordan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lebanon	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Egypt	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	2
Kuwait	1	0	0	0	0	0	0	1	1	0	0	4	1	0	3	5	0	0	16
Oman	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Qatar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Saudi Arabia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
United Arab Emirates	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Asia																			
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pakistan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Afghanistan	1	0	0	0	1	0	0	0	0	0	0	6	3	0	1	15	1	0	28

Enclosure 5 - Combat Areas of Interest Restricted Report Matrix

ARMY COMBAT AREAS OF INTEREST - FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 COMBAT AREAS OF INTEREST - RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	FY09 Totals
# Service Member VICTIMS in Restricted Reports	41
# Reported sexual assaults AGAINST Service Member victims in the following categories	41
# Service Member on Service Member	14
# Non-Service Member on Service Member	0
# Unidentified subject on Service Member	27
# Reported sexual assaults occurring	41
# On military installation	32
# Off military installation	7
# Unidentified location	2
B. FY09 INCIDENT DETAILS	FY09
Length of time between sexual assault and Restricted Report	41
# Reports made within 3 days of sexual assault	7
# Reports made within 4 to 30 days after sexual assault	3
# Reports made within 31 to 365 days after sexual assault	18
# Reports made longer than 365 days after sexual assault	8
# Unknown	5
Time of sexual assault incident	41
# Midnight to 6 am	10
# 6 am to 6 pm	12
# 6 pm to midnight	12
# Unknown	7
Day of sexual assault incident	41
# Sunday	3
# Monday	8
# Tuesday	9
# Wednesday	6
# Thursday	2
# Friday	3
# Saturday	5
# Unknown	5
C. FY09 RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	FY09 Totals
# VICTIMS	41
# Army	39
# Navy	0
# Marines	0
# Air Force	0
# Coast Guard	0
# Unknown	2
D. FY09 DEMOGRAPHICS FOR FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 Totals
Gender of VICTIMS	41
# Male	4
# Female	36
# Unknown	1
Age of VICTIMS	41
# 16-19	2
# 20-24	17
# 25-34	12
# 35-49	3
# 50-64	0
# 65 and older	0
# Unknown	7
Grade of VICTIMS	41
# E1-E4	24
# E5-E9	10
# WO1-WO5	0
# O1-O3	3
# O4-O10	1
# Cadet/Midshipman	0
# Civilian	0
# Foreign national/military	0
# Unknown	3
Status of VICTIMS	41
# Active Duty	31
# Reserve (Activated)	0
# National Guard (Activated)	7
# Civilian	0
# Cadet/Midshipman	0
# Unknown	3

ARMY COMBAT AREAS OF INTEREST - LOCATION OF FY09 RESTRICTED REPORTS	
E. TOTAL # FY09 COMBAT AREAS OF INTEREST -RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 Totals
<i>TOTAL RESTRICTED ASSAULTS IN COMBAT AREAS OF INTEREST</i>	<i>41</i>
Arabian Peninsula, Iraq & Red Sea	
Bahrain	0
Iraq	24
Jordan	0
Lebanon	0
Syria	0
Yemen	0
Djibouti	0
Egypt	0
Kuwait	9
Oman	0
Qatar	1
Saudi Arabia	0
United Arab Emirates	0
South Asia	
Iran	0
Pakistan	0
Afghanistan	7

Enclosure 6 - Service Referrals for Victims of Sexual Assault (CAI)

ARMY COMBAT AREAS OF INTEREST: FY09 SERVICE REFERRALS FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY	
<i>NOTE: Support Services are for all victims in each category that were referred for services during the reporting period, regardless of when their report was made (current or prior quarters).</i>	
A. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	27
# Medical	15
# Counseling	9
# Legal	3
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	2
# Cases where SAFEs were conducted	9
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims in UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS FROM RESTRICTED REPORTS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	21
# Medical	10
# Counseling	11
# Legal	0
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	6
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims in RR that received service referrals for an incident that occurred prior to military service	0
C. SUPPORT SERVICE REFERRALS FOR NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	1
# Medical	1
# Counseling	0
# Legal	0
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0

Enclosure 7 - Sexual Assault Case Synopses

Executive Summary

The Army is committed to conducting a fair and thorough investigation of each unrestricted report of sexual assault. The spreadsheet (FY09 Sexual Assault Synopses Report) in this enclosure provides additional details of sexual assault cases completed during FY09. These details include disposition information and brief synopses for all cases investigated by CID where the victim or the alleged perpetrator was a Soldier. (Note: In its present form, the Case Synopses may not reflect the offense that ultimately resulted in conviction and/or punishment).

Noteworthy information regarding FY09 case synopses includes:

- Field grade officers were identified as subjects in 15 cases during FY09:
 - Two cases identified male O6 subjects. The allegations in both cases were for Wrongful Sexual Contact. In the first case, involving a female E5, the subject received a written reprimand. In the second case, involving a female civilian, administrative action was taken against the subject by the Senior Mission Commander.
 - Four cases identified male O5 subjects. One case of Aggravated Sexual Assault had insufficient evidence of any offense. Two cases of rape are still pending findings from Article 32 Investigations. One involved a female civilian victim and the other cited a female O4 as the victim. The final case involving an O5 male subject was for Aggravated Sexual Assault and Forcible Sodomy where the victim was a female E8. The subject was found guilty at General Court Martial of lesser charges (Adultery and Conduct Unbecoming) and received a Dishonorable Discharge.
 - The most serious of the cases involving male O4 subjects were two cases of Rape and Forcible Sodomy, both involving female civilian victims. One case is pending non-judicial punishment after an acquittal in civilian court. The other case went to General Court Martial, where the subject was found not-guilty of Rape but received six months confinement for Forcible Sodomy.
- There were eight cases in which Junior Officers (O1 - O3) were subjects of sexual assault investigations where the victims were E1-E4.
- There were 29 cases in which Senior NCOs (E7 - E9) were subjects of sexual assault investigations where the victims were E1-E4.
- The most prevalent rank demographic in Soldier-on-Soldier cases involved E1-E4 subject and victims. There were 324 cases in which Soldiers (E1-E4) allegedly assaulted victims who were also E1-E4. Additionally, there were 103 cases in which E5's were the subjects and the victims were E1-E4.

Army data has consistently shown that alcohol use among victims is a common element in many cases investigated by CID. Alcohol use by offenders is also significant, but not to the same extent or level of intoxication as victims. In FY09 cases, approximately half involved alcohol use by either the subject or victim.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
1	First	E5	E3	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed no action taken.
2	First	E4	E2	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Subject found not guilty at GCM, no action taken.
3	First	E9	E7	M	F	Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim. Other administrative actions
4	Third	E2	E2	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. CID Unit's last contact with unit was Feb 09 Results of GCM scheduled in Aug 07 unknown at this time.
5	First	E4	CIV	M	F	Rape and/or Forcible Sodomy	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape and/or Forcible Sodomy against 10 Victims. Subject found guilty in Maine Criminal Court, received confinement for life.
					F			
					F			
					F			
					F			
					F			
					F			
					F			
					F			
6	Fourth	E4	E5	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Charges dismissed by Courts Martial Convening Authority.
7	Second	E2	E3	M	F	Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim. Other administrative actions written letter of reprimand in local file.
8	First	E3	CIV	M	F	Forcible Sodomy	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Administrative Discharge Chapter 5 - Convenience of Government.
9	First	UNK	E4	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
10	Second	E2	E3	M	F	Indecent Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim. Charges dismissed Bexar County, TX DA reports San Antonio Police Department closed case without being assigned to investigator, no further information available.
11	Second	E2	E2	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
		E3		M		Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
12	Second	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Subject discharged in Feb 2009 for unrelated offenses, and is pending trial by civilian authorities on this offense.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
13	Third	E4	E5	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim. Subject found guilty at Field Grade NJP reduced to E8, forfeit \$1534, oral reprimand, and 45 days extra duty and restriction.
14	Second	E3	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Indecent Assault and False Official Statement) in General Courts-Martial, confinement for 6 months and BCD.
		E1		M		Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Indecent Assault and False Official Statement) in General Courts-Martial, confinement for 6 months and BCD.
15	First	E5	E5	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim. Subject found guilty at Field Grade NJP reduced to E1, forfeit \$1300, and 45 days extra duty/resitricition.
16	First	E1	E4	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Prosecution declined Western District of TX "no billed" the case, no action taken.
17	Third	E5	E2	M	F	Rape and Indecent Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and Indecent Assault against 1 Victim. Subject found guilty in Pennsylvania Criminal Court, fined \$300, confinement 5 years, and correctional custody for 5 days.
18	First	E5	E3	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$483, and 14 days extra duty and restriction.
19	First	E5	E1	M	F	Rape	DoD Action Precluded - Suspect Deceased or Deserted	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Suspect deceased no action taken.
20	Third	E6	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Subject found not guilty at GCM, no action taken.
21	Second	E5	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Harnett County Criminal Court dismissed case as they could not locate victim.
22	Second	UNK	E1	U	M	Forcible Sodomy	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.
23	First	E6	E5	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Subject no longer in military and AUSA declined to prosecute no action taken.
24	Second	E5	E4	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E4, and forfeit \$1,000.
25	First	E1	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Rape) in Field Grade NJP, Forfeiture \$1300, and 45 days extra duty and restriction.
26	First	E1	E1	M	F	Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
27	Second	E7	E8	M	F	Rape	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS off-base; alcohol: U; drugs: N. Where Subject allegedly committed Rape against 1 Victim. victim declined to participate in military justice action no action taken.
28	Third	E4	E1	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
29	First	E3	E3	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
		E2		M		Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
		E2		M		Rape and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Rape, Forced Sodomy, Desertion, False Statement) in Field Grade NJP, Reduced to E2, forfeit \$1568, and 45 days extra duty/restriction.
		E3		M		Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
		E2		M		Forcible Sodomy	DoD Action Precluded - Suspect Deceased or Deserted	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Suspect a fugitive no action taken.
		E3		M		Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject received mandatory reassignment to Fort Gordon for CM proceedings. Results of CM are unknown.
30	Fourth	E4	E2	M	F	Indecent Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim. Weak or insufficient legally however, Subject pending Administrative Action.
31	Third	E4	E3	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Rape) in General Courts-Martial, reduced to E1, forfeit all pay and allowances for 22 months, confinement for 22 months, and BCD.
32	Third	E8	E5	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS unknown location; alcohol: Y; drugs: U. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Charges dismissed by Article 32 Convening Authority.
		E5		M		Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS unknown location; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
33	First	E2	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Adultery) in Field Grade NJP, Reduced to E2 and extra duty for 45 days.
34	Fourth	E3	E2	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1)
35	First	E4	E1	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally, no action.
36	Second	E4	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: Y; Victim(s): 1. Subject was found Guilty (Rape and Indecent Assault) in General Courts-Martial, reduced to E1, confinement for 5 years, and DD.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
37	First	E2	CIV	M	F	Indecent Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim. Subject found guilty in Alaska Criminal Court received confinement for 7 years.
38	First	E8	CIV	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Insufficient evidence of Rape, however, Subject received General Officer Memorandum of Record (GOMOR) (22 Dec 08), for Adultery.
39	First	E4	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (False Official Statement) in Field Grade NJP, Reduced to E2, forfeit \$3,016 and 45 days restriction and extra duty.
40	First	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed by Louisiana Criminal Courts on 8 Oct 08.
41	Fourth	E5	FRCiv	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim. Subject found guilty at GCM, confinement for 6 months and BCD.
42	Fourth	E3	E3	M	F	Rape	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally due to victim refusing to cooperate, no action taken.
43	Second	E4	CIV	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
44	First	E1	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written counseling in local file, written reprimand in local file, and delay of promotion.
45	First	E8	E1	M	F	Rape and/or Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 2 Victims. Insufficient evidence of Rape, however, Subject received General Officer Memorandum of Record (GOMOR) for Fraternization, filed in OMPF.
			E4		F			
46	Second	E5	E3	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Fraternization) in Field Grade NJP, Reduced to E4, forfeit \$2,124, and 45 days extra duty/restriction, and Chapter Discharge.
47	First	E4	E4	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Administrative Discharge Chapter 14 - Misconduct.
48	First	E5	E4	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Weak or insufficient evidence to substantiate Rape, however received General Officer Memorandum of Record (GOMOR).
		E6				M	Rape	DoD Action Precluded - Insufficient evidence of any offense
49	Third	E6	E5	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Subject found not guilty at GCM, no action taken.
		E6				M	Rape	Evidence Supports Command Action - Courts-Martial Preferred

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis				
50	First	E7	E6	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions written reprimand in OMPF.				
51	Fourth	E3	CIV	M	F	Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.				
52	First	E5	E4	M	F	Aggravated Sexual Assault and Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 2. Subject was found guilty (Aggravated Sexual Assault and Indecent Assault) in Field Grade NJP, reduced to SPC and forfeit \$4,092.				
			E2		F							
53	First	E6	FRCiv	M	F	Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Forcible Sodomy) in Field Grade NJP, Forfeiture \$3,158, and 45 days extra duty.				
54	Third	E3	E3	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Forcible Sodomy, Indecent Acts, Adultery, False Statement, Alcohol Offense) in General Courts-Martial, reduced to E1, forfeit all pay and allowances, confinement for 7 years, and DD.				
		Forcible Sodomy				Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Forcible Sodomy) in General Courts-Martial, reduced to E1, forfeit all pay and allowances, confinement for 9 years, and DD.					
55	First	E2	E3	M	F	Aggravated Sexual Assault and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.				
		E4				M	Aggravated Sexual Assault and Forcible Sodomy		DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.		
56	Third	E3	E1	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: Y; Victim(s): 1. Subject was found Guilty of lesser offense (Adultery) in Company Grade NJP, Forfeiture \$496.00.				
		E4				M	Rape		Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Victim refused to participate in military justice system for the rape offense, however Subject received oral counseling for false statement.		
57	Second	E7	E3	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: N; Victim(s): 5. Subject was found Guilty of lesser offense (Failure to Obey Order) in General Courts-Martial, reduced to E4, and confinement for 1 month.				
	First	E6				Aggravated Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred		Occurred: CONUS on-base; alcohol: U; drugs: N; Victim(s): 5. Subject was found Guilty of lesser offense (Fraternization) in General Courts-Martial, reduced to E4, and 45 days restriction.			
	Second	E6				E1	M		F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: N; Victim(s): 5. Subject was found Guilty (Aggravaetd Sexual Assault and Wrongful Sexual Contact) in General Courts-Martial, reduced to E1, confinement for 2 years and DD.
						E2						
		E1			F							

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
58	Second	E3	E2	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (False Statement, Wrongfully Entering a Barracks Room) in Field Grade NJP, Reduced to E2, forfeit \$834, and 25 days extra duty/restriction.
59	First	E6	E4	M	F	Indecent Assault and/or Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 4. Subject was found Guilty (Indecent Assault, Cruelty of Subordinates) in General Courts-Martial, reduced to E3 and confinement for 90 days.
			E4		F			
			E4		F			
			E5		F			
60	Second	E2	E2	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (False Statement, Obstruction of Justice) in Summary Courts-Martial, hard labor without confinement for 45 days.
61	Third	E6	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
62	Third	E9	E7	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Adultery, and Absence from Unit) in General Courts-Martial, reduced to E8, and forfeiture.
63	Third	O3	CIV	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Action terminated for reasons not listed by Courts Martial Convening Authority.
64	Second	O4	E3	M	M	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 3 Victims. Charges dismissed by Courts Martial Convening Authority.
			E4		M			
			E4		M			
65	Second	E4	FRCiv	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Patronizing a Prostitute) in General Courts-Martial, reduced to E1, confinement for 8 months, and BCD.
66	Second	E3	CIV	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) prosecution declined/other.
67	First	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$524, and 14 days restriction.
68	Second	E4	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at GCM, reduced to E1, confinement for 1 year, and BCD.
69	First	E3	CIV	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: Y; Victim(s): 1. Subject was found Guilty (Rape, Forcible Sodomy, Aggravated Assault, Kidnapping, Conspiracy, Adultery) in General Courts-Martial, reduced to E1, confinement for 32 years, and DD.
70	Fourth	O2	E2	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Fraternization, Personal Relations Among Military) in General Courts-Martial, forfeiture, and 11 months confinement.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis	
71	First	E5	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Wrongful Sexual Contact, Assault Consummated by Battery) in General Courts-Martial, reduced to E1, confinement for 7 months, and BCD.	
72	First	E5	E4	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.	
73	Fourth	O3	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in General Courts-Martial, forfeit all pay and allowances, confinement for 9 years and dismissal.	
74	Third	E4	E4	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Indecent Act and Assault Consummated by a Battery) in General Courts-Martial, reduced to E1, confinement for 1 year and BCD.	
		E3		M		Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Indecent Act and Assault Consummated by a Battery) in General Courts-Martial, reduced to E1, and confinement for 4 months.	
75	Second	E5	CIV	M	F	Rape and Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: Y; Victim(s): 3. Subject was found Guilty (Rape, Aggravated Sexual Assault of Adult) in General Courts-Martial, reduced to E1, forfeit all pay and allowances, confinement for 66 years, and DD.	
			CIV						F
			CIV						F
76	First	E5	E4	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Command SJA found insufficient evidence of Rape, however, Subject received written Counseling and Reprimand filed in local file.	
77	Second	E7	E6	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Forcible Sodomy) in General Courts-Martial, reduced to E4 and 90 days extra duty.	
78	First	UNK	E3	U	M	Forcible Sodomy	Subject unknown	Occurred: CONUS on-base; alcohol: N; drugs: Y. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.	
		UNK		U		Forcible Sodomy	Subject unknown	Occurred: CONUS on-base; alcohol: N; drugs: Y. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.	
79	First	E3	E2	M	M	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Rape, Forcible Sodomy, Indecent Act) in General Courts-Martial, reduced to E1, forfeit all pay and allowances, confinement for 15 years, and DD.	
80	First	E1	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: U; drugs: Y. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Other administrative actions referred to Family Advocacy.	
81	Second	E5	CIV	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Forcible Sodomy) in General Courts-Martial, reduced to E1, confinement for 22 months, and BCD.	

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
82	First	E5	E1	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Rape, False Official Statement) in Field Grade NJP, Reduced to E4, and forfeit \$2,038.
83	First	UNK	E2	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
84	First	E4	E2	M	M	Forcible Sodomy and Abusive Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
85	Third	O4	E4	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Other administrative actions written Reprimand in OMPF.
			E3		M			
86	Second	E6	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Subject found not guilty at GCM, no action taken.
87	First	E5	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions written Reprimand in local file.
88	Second	E4	E4	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
89	First	E5	E2	M	M	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 3 Victims. Subject found guilty at GCM, reduced to E1, forfeit all pay and allowances, confinement for 4 years, and DD.
			E4		M			
90	First	E8	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Other administrative actions written Counseling in local file.
91	First	E3	E3	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written Reprimand in local file.
92	Third	E2	FRCiv	M	F	Abusive Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
		E4			M	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
93	First	E6	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Discharge ILO CM Chapter 10 - In lieu of Court Martial.
94		E2	E1	M	F	Forcible Sodomy	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). Administrative Discharge Chapter 14 - Misconduct.
95	Third	E3	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. could not locate victim no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
96	First	E4	CIV	M	F	Aggravated Sexual Assault and/or Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault and/or Wrongful Sexual Contact against 1 Victim. Victim recanted and Command found insufficient evidence, however, Subject received written Counseling in local file, and was referred to Family Advocacy.
97	Fourth	E3	CIV	M	F	Rape, Forcible Sodomy, and Aggravated Sexual Contact	DoD Action Precluded - Insufficient Evidence of any offense	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape, Forcible Sodomy, and Aggravated Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
98	First	E6	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
99		E2	E1	M	M	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 2 Victim(s). Subject found guilty at Field Grade NJP reduced to E1, and forfeit \$673.
100	Third	E3	E3	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Rape against 1 Victim. Other administrative actions written Reprimand in local file.
101	Second	UNK	E4	U	M	Forcible Sodomy	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.
102	First	E4	E4	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Making a False Statement) in Summarized NJP, Received 7 days extra duty.
103	Third	E8	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at SPCM, no action taken.
104	Second	O1	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written Reprimand in OMPF.
105	First	UNK	E4	U	F	Rape	Subject unknown	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
		UNK		U		Rape	Subject unknown	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
		UNK		U		Rape	Subject unknown	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
		UNK		U		Rape	Subject unknown	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
106	First	UNK	E1	U	F	Rape	Subject unknown	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
107	First	E7	CIV	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) without explanation.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
108	First	CIV	E2	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
109	Second	O4	CIV	M	M	Forcible Sodomy and Indecent Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: N; drugs: U. Where Subject allegedly committed Forcible Sodomy and Indecent Assault against 1 Victim. Weak or insufficient legally no action taken.
110	First	E4	FRCiv	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject pled no contest at Field Grade NJP reduced to E2, and forfeit \$1,508.
111	First	E3	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E2, forfeit \$370, and 14 days extra duty and restriction.
112	Second	E3	E3	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: Y; Victim(s): 1. Subject was found Guilty of lesser offense (Wrongful Distribution of Controlled Substance) in General Courts-Martial, confinement for 1 month, forfeit all pay and allowances for one month, and BCD.
113	First	E8	E6	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written reprimand in OMPF, and Relief for Cause NCOER.
114	First	E6	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N; Victim(s): 2. Subject was found Guilty (Rape) in Field Grade NJP, Forfeiture \$2,840, extra duty for 45 days, revocation of promotion, and adverse flag.
115	First	E1	E3	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Indecent Conduct) in Field Grade NJP, Reduced to E1, forfeit \$1,346, and 45 days extra duty and restriction.
116	Third	E8	E4	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Cruelty and Maltreatment) in Summary Courts-Martial, reduced to E7 and fined \$2,664.00.
117	First	E4	CIV	M	F	Rape	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. victim declined to participate in military justice action no action taken.
118	First	E2	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E1, forfeit \$1,346, and 45 days extra duty/restriction.
119	Third	CIV	E3	M	M	Abusive Sexual Contact and/or Indecent Assault	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact and/or Indecent Assault against 6 Victims.
			E4		M			
			E5		M			
			E7		M			
			E4		M			
			E4		M			
120	Third	E5	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at GCM no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
121	Third	E4	E4	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: Y; Victim(s): 1. Subject was found Guilty of lesser offense (Assault Consummated with a Battery) in General Courts-Martial, reduced to E3, forfeiture, and confinement for 60 days.
122	Fourth	E3	CIV	M	F	Forcible Sodomy and Aggravated Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy and Aggravated Sexual Contact against 1 Victim. Subject found guilty in Washington Criminal Court, Confinement for 12 months with work release.
123		E5	E3	M	F	Aggravated Sexual Contact and/or Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact and/or Abusive Sexual Contact against 2 Victims. Other administrative actions oral admonition.
			E4		F			
124	First	E4	E3	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions oral counseling.
125	First	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed by Pierce County Superior Court.
126	Second	E7	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Charges dismissed by Courts Martial Convening Authority, after victim refused to cooperate.
127	Second	E7	E5	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions received written Reprimand in local file.
128	Third	E5	E5	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions received oral counseling.
129	Second	E7	O3	M	F	Aggravated Sexual Assault	DoD Action Precluded - Suspect Deceased or Deserted	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Suspect deceased no action taken.
130	First	E5	CIV	M	F	Aggravated Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) without explanation.
131	Second	E5	CIV	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
132	Second	E3	E3	M	F	Rape and Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Rape, Wrongful Sexual Contact) in Field Grade NJP, Reduced to E2, and 45 days restriction.
133	Third	E5	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Prosecution declined without explanation by Maryland Court Authorities.
134	Second	E4	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - In lieu of Court Martial.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
135	Second	E5	E4	F	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Other administrative actions written admonition in local file.
		E5		M		Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions written Reprimand in local file.
136	First	UNK	E4	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
137		E3	E3	M	F	Forcible Sodomy	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
138	First	E4	E2	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Other administrative actions reduced from CPL to SPC, and written counseling in local file.
139	Second	E3	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
140	Second	O4	E5	M	F	Wrongful Sexual Contact and/or Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact and/or Indecent Assault against 2 Victims. Subject found guilty at GCM, confinement for 90 days.
			E4	F				
141	First	E1	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Rape, Attempted Abusive Sexual Contact, and Indecent Acts) in General Courts-Martial, confinement for 7 years, and DD.
142	Third	UNK	E3	U	F	Rape	Subject unknown	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
143	Second	E7	E5	M	F	Indecent Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim. Weak or insufficient legally no action taken.
144	Fourth	E6	E3	M	F	Rape and Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Wrongful Sexual Contact, and Adultery) in General Courts-Martial, reduced to E4, forfeiture and confinement for 3 months.
145	First	E4	E3	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Discharge ILO CM Chapter 10 - In lieu of Court Martial.
146	First	E3	E4	M	F	Indecent Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim. Weak or insufficient legally, and Army elected to not bring Subject back on active duty, no action taken.
147	First	O3	CIV	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Other administrative actions Subject received GOMAR on 19 Dec 08 for non-sexual assault issue Division Commander found sexual assault allegation unfounded.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
148	First	E4	E3	M	F	Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) without explanation.
149	Fourth	E5	E3	M	F	Rape and Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape and Wrongful Sexual Contact against 1 Victim. Discharge ILO CM Chapter 10 - In lieu of Court Martial on 7/22/2009.
150	Third	E6	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found guilty in Georgia Criminal Court, received probation for 5 years, and fined \$780.00.
151	Third	E7	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Other administrative actions received written counseling in OMPF.
152	Second	E7	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Adultery and Personal Relations) in General Courts-Martial, reduced to E5 and reprimand.
153	Second	E4	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E3.
154	Second	E3	E5	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Indecent Act and Indecent Exposure) in General Courts-Martial, reduced to E2 and extra duty.
155	Third	E2	E3	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
		E2		M		Abusive Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	
156	First	E4	E1	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (False Swearing) in Field Grade NJP, Sanctions unknown, DA Form 4833 not completed.
157	First	E5	E6	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
158	First	E4	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Violation of Order #1) in Field Grade NJP, Reduced to E1, forfeit \$673 and 45 days extra duty.
159	First	E1	FRCiv	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
160	First	E3	CIV	M	F	Aggravated Sexual Assault and Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault and Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
161	Second	E2	E1	M	F	Aggravated Sexual Assault Abusive Sexual Contact, and/or Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 2. Subject was found Guilty (Aggravated Sexual Assault, Abusive Sexual Contact, Wrongful Sexual Contact) in Field Grade NJP, Reduced to E1, forfeit \$699.
			E1		F			

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
162		E1	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 4 Victims. Subject found guilty at SCM, forfeit \$673received confinement. for 20 daysand Chapter 14 - Misconduct Discharge.
			E2		F			
			E2		F			
			E2		F			
163	First	E4	E4	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 2. Subject was found Guilty (Attempted Aggravated Sexual Contact) in Field Grade NJP, Reduced to E3, forfeit \$1758 and 45 days extra duty/restriction.
			E5		F			
164	Second	E5	E3	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) Subject was discharged from Service on 19 Nov 08, prior to disciplinary action being taken.
165	First	E5	CIV	M	F	Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Forcible Sodomy) in Field Grade NJP, Reduced to E4, forfeit \$2,000, and 45 days extra duty/restriction.
166	First	E3	E3	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found guilty in Washington Criminal Court, received confinement. for 365 days and 2 years probation.
167	Fourth	E5	E3	M	F	Rape and Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape and Wrongful Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
168	First	O4	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at General Officer Imposed NJP written reprimand, and relief for cause OER.
169	First	E9	O3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written reprimand in local file, and adverse flag.
170	First	E6	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: U; drugs: U; Victim(s): 2. Civilian prosecution declined. Subject was found Guilty of lesser offense (Adultery) in Field Grade NJP, Sanctions unknown, DA Form 4833 not completed.
171	First	E6	E4	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Courts Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Charges dismissed by Courts Martial Convening Authority.
172	Second	E6	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
173	Third	E5	E3	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Rape and False Official Statement) in General Courts-Martial, Confinement for 9 months, and reprimand.
174	First	UNK	E3	U	F	Rape	Subject unknown	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
175	Fourth	O4	CIV	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Civilian acquittal of rape and kidnapping, Non-Judicial Punishment, pending Administrative Action
176	First	E3	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Adultery) in Field Grade NJP, Reduced to E2, and oral reprimand.
177	Third	E4	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Adultery) in General Courts-Martial, reduced to E1, forfeiture, and 1 month confinement.
178	Fourth	E3	E2	M	F	Aggravated Sexual Assault	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 2 Victims. victim declined to participate in military justice action no action taken.
			E2	M	F			
		E2	M	F	Aggravated Sexual Assault and Forcible Sodomy	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 2 Victims. Commander's response pending.	
179	First	E4	E5	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written counseling in local file, and mandatory reassignment.
180	First	E1	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1,246, and 45 days extra duty/restriction.
181	Second	E6	O2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Command found insufficient evidence of sexual assault, however, Subject was found Guilty of lesser offense (False Official Statement) in Field Grade NJP, Reduced to E5, forfeit \$ 2810, and 15 days extra duty.
182	First	E4	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP reduced to E3, forfeit \$1,788, and 45 days extra duty/restriction.
			CIV					
183	First	E4	CIV	M	F	Rape	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Administrative Discharge Chapter 14-12c - Misconduct on 16 Oct 08.
184	Second	E3	CIV	M	F	Aggravated Sexual Assault and Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in General Courts-Martial, reduced to E1 and 60 days extra duty.
185	First	E5	E5	M	F	Aggravated Sexual Assault and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
186	Third	E3	CIV	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Forcible Sodomy) in General Courts-Martial, reduced to E1, confinement for 5 years and DD.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
187	Second	E4	CIV	M	F	Rape	Evidence Supports Command Action - Administrative Discharge	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Administrative Discharge Chapter 14 - Misconduct.
188	First	E4	E4	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Adultery) in Field Grade NJP, Reduced to E2, forfeit \$754, and 45 days extra duty/restriction.
189	First	E3	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Subject found guilty in US Civil Court, received a one year conditional discharge from New York Authorities.
190	First	E4	CIV	M	F	Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 2 Victims. Weak or insufficient legally no action taken.
			CIV		F			
191	Third	E6	CIV	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Other administrative actions Subject received GOMAR on 21 May 09 for Adultery, after victim refused to participate in military justice action.
192	First	E2	E3	M	F	Abusive Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
193	First	E5	E3	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Subject found not guilty at GCM, no action taken.
194	First	E4	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E3 and 30 days extra duty.
195	First	E9	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: U; drugs: U; Victim(s): 1. Victim withdrew cooperation, however, Subject was found Guilty of lesser offense (Adultery) in General Officer Imposed NJP, Received General Officer Memorandum of Reprimand.
196		E3	CIV	M	F	Aggravated Sexual Contact	DoD Action Precluded - victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Victim declined to participate in military justice action no action taken.
197	First	E4	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Victim withdrew cooperation, however, Subject was found Guilty of lesser offense (False Official Statement) in Field Grade NJP, Reduced to E1, forfeit \$1,300, and 45 days extra duty/restriction.
198	Second	E4	E4	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Discharge ILO CM Chapter 10 - Discharge ILO CM.
199	First	E4	CIV	M	F	Rape	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Administrative Discharge Chapter 14 - Misconduct, and reduction to E1.
200	First	E3	E3	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
201	Third	UNK	E2	U	F	Rape and Forcible Sodomy	Subject unknown	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
		UNK		U				
202	First	E2	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Subject found guilty at GCM, reduced to E1, forfeit all pay and allowances, confinement for 3 years, and DD.
			E3		F			
203	First	E6	E3	M	M	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 2. Subject was found Guilty (Forcible Sodomy) in General Courts-Martial, reduced to E3, forfeit \$4,500, confinement for 45 days, and BCD.
			E2		M			
204	Third	E5	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Civilian prosecution is pending and Subject received written reprimand in local file.
205	Second	E4	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions received oral reprimand.
206	Fourth	E8	E4	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 3 Victim(s). Other administrative actions written counseling in local file, and written reprimand in OMPF.
			E5		M			
			Cadet		M			
207	First	CIV	O3	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS off-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.
208	First	E6	E6	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
209	Third	E6	E3	M	F	Aggravated Sexual Assault and/or Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 2. Subject was found Guilty (Wrongful Sexual Contact, Non-Forcible Sodomy) in General Courts-Martial, reduced to E1, confinement for 1 month and BCD.
			E3		F			
210	First	E4	E2	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 2 Victims. Other administrative actions written reprimand in local file.
			E4		F			
211	Fourth	E4	E3	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Subject released from active duty, and neither SJA nor AUSA inclined to return him to Active Duty to stand trial no action taken.
212	First	E3	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Charges dismissed by Courts Martial Convening Authority.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
213	Fourth	E4	E4	M	M	Wrongful Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Disposition from civilian court system is unavailable and Subject no longer in military service.
214	Third	E4	E3	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty of lesser offense at SCM, reduced to E2, and forfeit \$1,035.
		E4		M		Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E1, forfeit \$699, and 45 days extra duty.
		E4		M		Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E2, and 45 days extra duty.
		E2		M		Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty of lesser offense at SCM, reduced to E1, forfeit \$933, and confinement for 15 days.
215	First	E3	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E1, forfeit \$1,346, and 45 days extra duty.
216	Fourth	E4	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at GCM, no action taken.
	Fourth	E3		M		Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Indecent Act, Article 92 - Relating to Alcohol) in General Courts-Martial, no action taken.
	First	E2		M		Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Forcible Sodomy) in General Courts-Martial, reduced to E1, forfeit \$1400, and restriction for 60 days.
217	Second	E7	E2	M	F	Abusive Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
218		E1	E1	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Wrongful Sexual Contact) in Field Grade NJP, Forfeiture \$1,346, and 45 days extra duty/restriction.
219	Third	E4	CIV	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Subject found guilty in Washington Criminal Court, confinement for 1 year, fined \$5,000, and 1 year probation.
			CIV		F			
220	Third	UNK	E6	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
221	First	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written counseling in local file, and written reprimand in local file.
222	Third	E2	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Abusive Sexual Contact and False Official Statements) in General Courts-Martial, confinement for 30 months, forfeit all pay and allowances, and BCD.
223	First	UNK	E4	U	F	Rape	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
224	Second	E3	E4	M	F	Rape and Forcible Sodomy	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Subject found guilty in Kansas Criminal Court, confinement for 122 months.
225	First	E4	E3	M	M	Abusive Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Administrative discharge Chapter 14 - Misconduct.
226	First	CIV	E4	M	F	Abusive Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim.
227	First	E4	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at SCM, forfeit \$500, and 45 days extra duty.
228	Second	O3	O3	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found guilty in Virginia Criminal Court correctional custody for 1 year, probation for 3 years, and fined \$71.00.
229	Second	UNK	E2	U	F	Aggravated Sexual Contact	Subject unknown	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
230	Second	W1	E5	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
231	Second	UNK	E6	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
232	First	E4	CIV	M	F	Rape	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. victim declined to participate in military justice action no action taken.
233	Second	E3	E4	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Victim withdrew cooperation and Soldier was allowed to medically retire, also received written counseling in local file.
234	Third	E6	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
235	Fourth	E6	E3	M	F	Rape and/or Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 2. Subject was found Guilty of lesser offense (Indecent Act, Article 92, and Adultery) in General Courts-Martial, reduced to E2, and extra duty.
			E2		F			
236	First	E3	E3	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Command SJA found insufficient evidence of Aggravated Sexual Contact, however, Subject was found Guilty of lesser offense (Indecent Exposure) in Field Grade NJP, Reduced to E2, forfeit \$1,502.70 and oral reprimand.
		E3		M	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Evidentiary issues for Rape offense, however, Subject was found Guilty (Aggravated Sexual Assault) in Field Grade NJP, Reduced to E1, forfeit \$1,244.00, extra duty for 41 days, and Chapter 14 Admin Separation.	
237	Second	E2	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP reduced to E1, and forfeit \$1340.
			E3		F			
238	First	E4	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Simple Assault) in Summary Courts-Martial, restriction for 60 days, and written counseling in local file.
239	Third	E4	E4	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed by Courts Martial Convening Authority.
240	First	E5	E3	M	M	Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
241	First	E6	CIV	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty in US Magistrate Court received probation for 2 years, and fined \$3,945.
242	First	E2	CIV	M	F	Aggravated Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Charges never filed by Pierce County Prosecutor no action taken.
243	First	E5	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 3 Victims. Subject found guilty of lesser offense at Field Grade NJP, sanctions unknown, not completed on DA 4833.
			E5		F			
			E3		F			
244	First	E5	FRCiv	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 2 Victims. Subject found guilty in Korean Criminal Court confinement for 3 years.
			FRCiv		F			
245	First	UNK	E1	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. victim declined to participate in military justice action no action taken.
246	First	E3	E2	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
247	Second	E5	CIV	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Rape and Forcible Sodomy) in Field Grade NJP, Reduced to E4, forfeit \$1464, and 45 days extra duty and restriction.
			CIV		F			
248	First	E4	E4	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Commander found insufficient evidence of sexual assault and Soldier received Disability Separation.
249	Second	E4	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP reduced to E3, and forfeit \$930.
250	First	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed when DA San Antonio TX grand jury returned a "no bill of indictment".
251	First	E2	CIV	M	F	Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Forcible Sodomy) in Field Grade NJP, Reduced to E1 and Chapter 14 - Misconduct Discharge.
252	Third	E4	E1	M	F	Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Forcible Sodomy) in Field Grade NJP, Reduced to E3, and 45 days extra duty.
253	Third	E6	CIV	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 2 Victims. UCMJ RCM 306(c)(1) no action taken.
254	First	E3	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.
255	First	E3	E2	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E1, forfeit \$500, and 30 days extra duty/restriction.
256	Fourth	E7	CIV	M	M	Rape and/or Forcible Sodomy	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape and/or Forcible Sodomy against 2 Victims. Commander's response pending.
			E3		F			
257	First	E1	E2	F	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E1, forfeit \$1,348, and 30 days extra duty/restriction.
258	First	CIV	E4	M	F	Abusive Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim.
259	First	CIV	E4	M	F	Rape	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed when Savannah Chatham Police determined insufficient evidence.
260	Second	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed by TN Criminal Courts.
		E4		M		Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed by TN Criminal Courts.
		E5		M		Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed by TN Criminal Courts.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
261	Second	E6	CIV	M	F	Abusive Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty in US District Court confinement for 7 days and 1 year probation.
262	First	E4	FRCiv	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
263	First	E5	CIV	M	F	Rape	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Rape against 1 Victim. victim declined to participate in military justice action no action taken.
264	First	E1	E2	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1,346, and 45 days extra duty/restriction.
265	Fourth	E4	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
266	Third	E2	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at SPCM, no action taken.
267	First	E5	E5	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written reprimand in local file.
268	First	O5	E4	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
269	First	E5	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$1,948, and 45 days extra duty/restriction.
270	Second	E4	E4	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: Y; Victim(s): 1. Insufficient evidence of sexual assault, however, Subject was found Guilty of lesser offense (Adultery) in Company Grade NJP, Forfeiture \$498, and oral reprimand.
271	First	FRMil	E5	M	F	Rape	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Rape against 1 Victim.
272	Second	E3	E2	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed by Courts Martial Convening Authority.
273	First	E5	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Forcible Sodomy, False Official Statement) in Field Grade NJP, Reduced to E4, forfeit \$1,067, and 45 days extra duty/restriction.
274	First	CIV	E1	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.
275	First	E1	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in Company Grade NJP, Forfeiture \$314, and 14 days extra duty.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
276	Fourth	E2	E3	M	F	Aggravated Sexual Assault, Forcible Sodomy, and Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at GCM, no action taken.
277	First	E4	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Charges dismissed by Courts Martial Convening Authority.
278	First	Cadet	Cadet	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 3 Victims. Subject found not guilty at GCM, on 1 Dec 08 no action taken.
					F			
					F			
279	First	E1	E2	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Contact, Unlawful Detention) in Field Grade NJP, Forfeit \$337, and 45 days extra duty.
280	First	E5	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, False Statement) in Field Grade NJP, Reduced to E4.
281	First	E6	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E5, forfeit \$ 2570, and 30 days extra duty.
282	First	E2	E3	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Other administrative actions written reprimand in local file.
283	First	E4	E3	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
284	Second	E4	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: Y; Victim(s): 1. Insufficient evidence of sexual assault, however, Subject was found Guilty of lesser offense (Simple Assault, and Escape from Custody) in Field Grade NJP, Reduced to E1, forfeit \$1398, and 45 days extra duty/restriction.
285	Third	E6	E4	M	F	Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS unknown location; alcohol: Y; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim. Other administrative actions received written Counseling in local file.
	Third	E4		M				
286	Third	E2	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Administrative Discharge Chapter 14-12b - Misconduct
287	Second	E1	CIV	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Contact) in Special Courts-Martial, reduced to E1 and forfeit \$1,000.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
288	Second	E1	E2	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Forcible Sodomy) in Field Grade NJP, Forfeiture \$1,398, and 15 days extra duty.
	Second	E1		M		Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Forcible Sodomy) in Field Grade NJP, Reduced to E1, forfeit \$1,398, and 15 days extra duty.
	Second	E4		M		Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Forcible Sodomy) in Field Grade NJP, Received 15 days extra duty.
289	Second	E4	CIV	M	M	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Article 32 recommended no courts-martial. Subject was found Guilty of lesser offense (Adultery) in Field Grade NJP, Reduced to E2, written letter of reprimand.
290	Fourth	E5	E3	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
291	Second	E5	CIV	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
292	First	E6	E1	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: N; Victim(s): 2. Subject was found Guilty (Aggravated Sexual Contact) in Field Grade NJP, Reduced to E5, forfeit \$1,361, and 45 days extra duty/restriction.
			E4		F			
293	Second	E3	E2	M	F	Forcible Sodomy and/or Abusive Sexual Contact	DoD Action Precluded - Probable cause for non-sexual assault offense only	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy and/or Abusive Sexual Contact against 2 Victims. Subject received NJP for violations of Article 92 sanctions unknown.
	Second	E4		M		Abusive Sexual Contact	DoD Action Precluded - Probable cause for non-sexual assault offense only	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Subject received NJP for violations of Article 92 no action taken.
294	First	E3	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at Article 32 Hearing no action taken.
295	Fourth	E2	E1	M	F	Aggravated Sexual Assault	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. victim declined to participate in military justice action no action taken.
	Fourth	E3		M		Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
296	Third	E4	CIV	M	F	Rape, Aggravated Sexual Assault, and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Forcible Sodomy, Adultery, Other Art 134 Sex Offenses) in General Courts-Martial, confinement for 4 years, and BCD.
297	First	O4	E7	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.
298	First	E1	FRCiv	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
299	Second	E2	CIV	M	F	Abusive Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) without explanation.
300	Third	W3	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Conduct Unbecoming an Officer) in General Courts-Martial, restriction and reprimand.
301	Fourth	E4	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
302	First	CIV	E2	F	M	Aggravated Sexual Assault	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.
303	Third	E6	E1	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in Field Grade NJP, Reduced to E5, forfeit \$2,670, and 45 days restriction.
304	Fourth	O4	CIV	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: Y; Victim(s): 1. Subject was found Guilty (Forcible Sodomy) in General Courts-Martial, confinement for 6 months.
305	Fourth	E4	E2	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Forcible Sodomy, Indecent Acts, False Statement, and Conspiracy) in General Courts-Martial, reduced to E1, forfeit all pay and allowances, confinement for 4 years, and DD.
	Third	E2		M		Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Indecent Act, Adultery) in General Courts-Martial, reduced to E1, forfeit all pay and allowances, confinement for 1 year, and BCD.
	Third	E3		M		Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Forcible Sodomy, Indecent Acts, False Statement, and Conspiracy) in Special Courts-Martial, reduced to E1, confinement for 1 year, and DD.
	Third	E2		M		Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Forcible Sodomy, Indecent Acts, False Statement, and Conspiracy) in Summary Courts-Martial, reduced to E1, forfeit \$898, and confinement for 30 days.
	Third	E2		M		Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Indecent Act) in General Courts-Martial, reduced to E1, and confinement for 60 days.
306	First	E6	CIV	M	F	Abusive Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
		E6		M		Abusive Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
307	Fourth	E8	E5	M	F	Rape and Indecent Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape and Indecent Assault against 1 Victim. Weak or insufficient legally however, Subject pending Administrative Separation Board.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
308	First	E3	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP reduced to E1, forfeit \$2,692, and 45 days extra duty and restriction.
			E1		F			
309	Second	E5	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at SPCM, confinement for 3 months.
310	First	UNK	E4	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
311	First	E2	E2	F	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written counseling in local file.
312	First	E1	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions
313	Fourth	E7	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Article 92 - Relating to Personal Relations Among Military) in General Courts-Martial, reduced to E4, extra duty and restriction.
314	First	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Other administrative actions
			E3		F			
315	Third	E6	E3	M	F	Rape and Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Contact) in Field Grade NJP, Reduced to E5, forfeit \$2,828, and 45 days extra duty and restriction.
316	Third	O2	E1	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Other administrative actions written counseling in local file.
317	Second	E3	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions written counseling in local file.
318	Third	E2	E4	M	F	Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
319	Second	E6	E4	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Attempted Rape, Aggravated Assault, Burglary) in General Courts-Martial, reduced to E1, confinement for 17 years, and DD.
320	Second	E6	CIV	M	F	Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 2 Victims. Weak or insufficient legally no action taken.
			CIV		F			
			CIV		F			
			CIV		F			
			CIV		F			

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
321	First	E5	E2	M	F	Rape	DoD Action Precluded - Suspect Deceased or Deserted	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Suspect AWOL no action taken.
322	Second	E6	FRCiv	M	F	Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Forcible Sodomy, Indecent Acts) in Field Grade NJP, Reduced to E5 and 45 days extra duty and restriction.
323	First	E1	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1244extra duty and restriction for 45 daysand written counseling.
324	First	E5	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$1067, and extra duty/restriction for 45 days.
325	First	E1	E2	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1240.
326	Second	E3	FRCiv	M	F	Abusive Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
327	Second	E5	E4	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$2046, and extra duty for 14 days.
	Second	E4	CIV	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Weak or insufficient legally no action taken.
328	Second	E6	E4	M	F	Aggravated Sexual Contact	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. no action taken.
329	First	UNK	E6	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
330	Second	E2	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in Field Grade NJP, Reduced to E1, forfeit \$1,400, and 45 days extra duty.
331	First	E4	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E3 and extra duty for 7 days.
332	First	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$2,136, and 45 days extra duty and restriction.
			E2		F			

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
333	Third	E5	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Assault Consummated by a Battery, and Adultery) in General Courts-Martial, confinement for 2 years and BCD.
334	Third	E5	E3	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
335	First	E3	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. New York authorities dismissed all charges for lack of evidence, and Command followed suit.
336	Fourth	E1	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Administrative Discharge Chapter 14-12b Discharge - Misconduct
337	First	E5	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found not guilty at Summarized NJP no action taken.
338	Second	E4	E4	M	F	Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
339	First	E5	E2	M	F	Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
340	Second	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$2,218, and 45 days extra duty and restriction.
341	Second	E5	E3	M	F	Rape and Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape and Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
342	First	E1	CIV	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Rape and Forcible Sodomy) in General Courts-Martial, confinement for 7 years.
343	Second	E4	FRCiv	M	F	Forcible Sodomy	DoD Action Precluded - Probable cause for non-sexual assault offense only	Occurred: OCONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Probable cause for only non-sexual assault offense no action taken.
344	Second	E3	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Subject found not guilty at General Officer Imposed NJP no action taken.
345	First	E5	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
346	First	E1	E2	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1348, extra duty/restriction for 45 days, and oral reprimand.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
347	Third	E6	E3	M	F	Aggravated Sexual Assault and Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Abusive Sexual Contact) in Field Grade NJP, Reduced to E5.
348	Second	E6	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found not guilty at Field Grade NJP no action taken.
349	Second	E7	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP forfeit \$3,838 and 45 days extra duty/restriction.
			CIV		F			
350	Fourth	E1	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
	Fourth	E2	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
351	Second	E3	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found not guilty at SCM, no action taken.
352	First	E2	E3	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.
353	First	E1	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
	First	E2		M		Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
354	Fourth	E6	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Mistrial declared by Courts Martial Convening Authority.
355	First	E1	E2	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient Evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
356	First	E5	CIV	M	F	Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) Tennessee Courts declined to prosecute and Commander followed suit.
357	Third	E4	E4	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Charges dismissed by Courts Martial Convening Authority.
358	Second	E4	E2	M	F	Aggravated Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim.
359	Second	E5	E1	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
360	Fourth	E5	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed after Article 32 Investigation.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
361	Fourth	E5	E3	M	F	Aggravated Sexual Assault and Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault and Rape against 3 Victims. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
			E3		F			
			E5		F			
362	Second	UNK	E6	U	F	Rape and Forcible Sodomy	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.
363	Second	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty of lesser offense at Field Grade NJP unknown, DA Form 4833 not completed
364	First	E6	E3	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Accepted by Air Force for Disciplinary or Administrative Action
365	Second	E3	E3	M	F	Aggravated Sexual Contact and Abusive Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Contact and Abusive Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
366	First	FRCiv	E4	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
367	First	E4	E3	M	F	Abusive Sexual Contact	DoD Action Precluded - Insufficient Evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: Y. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
368	Second	W2	CIV	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) Suspect Being Prosecuted on Other Charges (0340-07-CID034-16804).
369	First	E1	E1	F	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Other administrative actions
370	First	E5	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, and 45 days extra duty.
371	Third	E6	E6	M	F	Rape and Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape and Aggravated Sexual Assault against 1 Victim. Subject found not guilty at GCM, no action taken.
372	First	E4	E4	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Contact) in Field Grade NJP, Reduced to E2, forfeit \$1808, and 45 days extra duty/restriction.
373	Fourth	E4	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Forcible Sodomy) in General Courts-Martial, reduced to E1, forfeit all pay and allowances, confinement for 5 years, and DD.
374	Second	E5	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$2,218, and 45 days extra duty.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
375	First	E7	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP DA Form 4833 not completed.
376	Second	E7	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$4,000.
377	First	E4	E4	M	F	Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) Prosecution declined/Other, no action taken.
378	Third	E3	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Indecent Act) in General Courts-Martial, reduced to E1, and written reprimand.
	Second	E2		M		Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	
379	First	E3	E1	M	F	Abusive Sexual Contact and Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at SCM, reduced to E1, forfeit \$898, and confinement for 30 days.
380	First	E5	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Alaska Trial Counsel declined to prosecute no action taken.
			CIV		F			
381	Second	UNK	E3	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
	Second	UNK		U	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.	
382	Third	E3	E4	M	M	Abusive Sexual Contact	DoD Action Precluded - Suspect Deceased or Deserted	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Suspect deceased no action taken.
383	First	E4	CIV	M	F	Rape and Forcible Sodomy	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. victim declined to participate in military justice action no action taken.
384	First	E3	CIV	M	F	Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Other administrative actions received written Reprimand in local file.
385	Fourth	E5	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, and forfeit \$ 2000.
386	Second	E4	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E2, forfeit \$1508, and 45 days extra duty.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
387	First	E5	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty of lesser offense at GCM, reduced to E4, forfeiture, restriction and extra duty.
388	Second	E3	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1,398, and 45 days extra duty and restriction.
389	Fourth	E3	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions written Counseling in local file.
390	First	E5	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in Company Grade NJP, Reduced to SrA, forfeit \$800, and written Reprimand in local file.
391	Fourth	E1	E3	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Wrongful Use of Prescription Medications, and Marijuana) in General Courts-Martial, reduced to E1, forfeiture of all pay and allowances, 90 days confinement, and BCD.
392	Third	E2	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at GCM, no action taken.
393	First	UNK	E5	U	M	Aggravated Sexual Contact	Subject unknown	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
394	First	E3	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: N. Where Subject allegedly committed Rape against 1 Victim. referred to Tacoma WA District Attorney's Office for prosecutorial review.
395	First	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim.
396	Second	E3	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at GCM, no action taken.
397	First	E1	E2	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1300, and 45 days extra duty and restriction.
398	Second	E5	E4	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Contact, Cruelty of Subordinates, False Official Statement) in Field Grade NJP, Chapter 12 - Misconduct Discharge.
399	First	CIV	E2	M	F	Rape	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim.
400	Second	E6	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written admonition in local file.
401	Second	E5	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at SPCM, reduced to E1, and BCD.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
402	First	E6	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written reprimand in local file, and adverse NCOER.
403	First	E1	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Administrative Discharge Chapter 11 - Entry Level Performance and Conduct.
			E1		F			
404	Second	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$4,436, and 45 days extra duty and restriction.
405	Third	E7	E5	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty of lesser offense at GCM, reduced to E4.
406	Second	E5	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written Counseling in local file.
407	First	FRCiv	E3	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims.
			E1		F			
408	Second	E4	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
409	Second	E1	E2	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Charges dismissed after Article 32 Investigation and victim declined to participate in military justice action.
410	First	UNK	E6	U	F	Abusive Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
411	Third	E1	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Rape, Aggravated Sexual Contact, Wrongful Distribution of Cocaine, Adultery) in General Courts-Martial, confinement for 15 years, forfeit all pay and allowances, and DD.
412	First	UNK	E6	U	F	Rape	Subject unknown	Occurred: OCONUS unknown location; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
413	Second	E7	E3	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Adultery) in Unknown NJP, Sanctions unknown, DA Form 4833 not completed.
414	Second	E2	E1	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Victim withdrew cooperation and Subject received other administrative actions oral counseling.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
415	Fourth	E1	E2	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
	Fourth	E2		M		Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at GCM, no action taken.
	Fourth	E2		M		Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty of lesser offenses at SPCM, reduced to E1, extra duty, and written reprimand.
416	Second	E2	CIV	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) Suspect Being Prosecuted on Other Charges.
417	Third	E6	E3	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Indecent Act, Sodomy) in General Courts-Martial, reduced to E2, and confinement for 6 months.
418	Third	UNK	E6	U	F	Abusive Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
	Third	UNK		U		Aggravated Sexual Assault	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
419	First	E3	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E2, forfeit \$654, and 14 days extra duty.
420	First	E5	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written reprimand in OMPF.
421	Third	E2	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at GCM, no action taken.
422	Second	E1	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, received Chapter 14-12b Discharge - Misconduct
423	First	E1	E1	M	M	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Other administrative actions oral counseling, and repeat 10 weeks of basic training.
424	Second	E6	E4	M	M	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Other administrative actions written reprimand in OMPF.
425	Fourth	E3	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
	Fourth	E2		M		Aggravated Sexual Assault and Forcible Sodomy	DoD Action Precluded - Suspect Deceased or Deserted	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Suspect a fugitive no action taken.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
426	Fourth	E6	E2	M	M	Aggravated Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Charges dismissed after court found lack of probable cause.
427	Second	E5	CIV	M	F	Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
	Second	E1		M		Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
428	First	E1	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Other administrative actions oral admonition.
429	Third	E1	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Subject found not guilty at GCM, no action taken.
430	First	O1	O1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$2,554, and written Reprimand in OMPF.
431	Third	E6	E4	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty of lesser offense at GCM, reduced to E4, confinement for 4 months, and reprimand.
432	Third	E7	CIV	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
433	Third	E6	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS unknown location; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E6, forfeit \$2,400, and 45 days extra duty and restriction.
434	Third	E7	E4	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Other administrative actions verbal reprimand.
435	Second	CIV	E6	M	F	Abusive Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim.
436	First	E4	CIV	M	F	Aggravated Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Court's response pending.
437	Second	E6	E4	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in Field Grade NJP, Reduced to E5, forfeit \$1404, extra duty for 45 days, and oral counseling.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
438	Second	E5	E4	M	F	Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Forcible Sodomy against 2 Victims. Sexual assault charges dismissed by Courts Martial Convening Authority. Subject found guilty of lesser offenses (Adultery, and False Official Statement) at Field Grade NJP, reduced to E4, and forfeit \$1,159.
			E4		F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Forcible Sodomy against 2 Victims. Sexual assault charges dismissed by Courts Martial Convening Authority. Subject found guilty of lesser offenses (Adultery, and False Official Statement) at Field Grade NJP, reduced to E4, and forfeit \$1,159.
439	Second	CIV	E3	M	F	Forcible Sodomy and Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Forcible Sodomy and Wrongful Sexual Contact against 1 Victim.
440	Second	E1	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 5 Victims. Subject found guilty at Company Grade NJP, forfeit \$291 and 14 days extra duty and restriction.
	Second	E1	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 5 Victims. Subject found guilty at Company Grade NJP, forfeit \$291 and 14 days extra duty and restriction.
			E2		F			
	Second	UNK	E3	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 5 Victims. Investigation failed to identify Subject no action taken.
441	First	FRCiv	E3	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
442	Third	E4	E4	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
	Third	E2		M		Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
443	First	UNK	O1	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
444	First	E1	E2	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1244, and extra duty and restriction for 45 days.
445	Third	E5	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Tacoma Washington Courts have no case pending in reference to this incident, no action taken.
446	Second	E3	CIV	M	F	Rape and Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape and Aggravated Sexual Assault against 1 Victim. Court's response pending.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
447	First	E4	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Other administrative actions oral counseling.
448	Second	E5	E4	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
449	Third	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. El Paso County, CO DA dismissed charges due to lack of evidence and critical witness unavailable. no action taken.
	Third	E4		M		Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Subject found guilty in Colorado Criminal Court received 2 years confinement.
450	Third	E3	E1	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at GCM, no action taken.
451	First	E7	FRCiv	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written reprimand in local file.
452	First	FRCiv	E4	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
453	First	E4	E3	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Wrongful Distribution of Prescription Medicines, False Official Statement) in Field Grade NJP, Reduced to E2, forfeit \$1568, and 45 days extra duty.
	First	E5	E3	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: Y; Victim(s): 1. Subject was found Guilty of lesser offense (Wrongful Use of Prescription Medication) in Field Grade NJP, Reduced to E4, forfeit \$2,126, and 45 days extra duty.
454	Third	E6	E3	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
455	Fourth	E3	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in Company Grade NJP, Received 14 days extra duty and restriction.
456	Second	E2	CIV	M	F	Aggravated Sexual Assault and Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Abusive Sexual Contact, Aggravated Sexual Contact) in Summary Courts-Martial, reduced to E1, forfeit \$1,191, and 45 days extra duty.
457	Fourth	E7	E2	M	F	Rape, Aggravated Sexual Assault, Abusive Sexual Contact and Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, Abusive Sexual Contact, Wrongful Sexual Contact, and Indecent Exposure) in Summary Courts-Martial, reduced to E6, forfeit \$2,385, and written reprimand in OMPF.
458	First	E2	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP DischargeChapter 12

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
459	Second	E4	E2	M	F	Aggravated Sexual Assault and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
460	Second	E3	E1	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, False Swearing) in Field Grade NJP, Reduced to E2, forfeit \$1,568, and 45 days extra duty/restriction.
461	Third	E3	E4	M	F	Aggravated Sexual Assault and Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: U; drugs: Y; Victim(s): 1. Subject was found Guilty (Wrongful Sexual Contact and Stalking) in Summary Courts-Martial, reduced to E1, forfeit \$600, and confinement for 20 days.
462	First	UNK	E5	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
463	Second	E2	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E1 and forfeit \$291.
464	Third	E1	E4	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, forfeit \$673.00 and 45 days extra duty and restriction.
465	Second	E4	CIV	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions oral counseling. Civilian authorities involved.
466	Third	E4	E3	M	F	Rape and/or Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape and/or Wrongful Sexual Contact against 2 Victims. Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
			E5		F			
467	Second	E2	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E1, and 45 days extra duty/restriction.
468	Third	E4	E4	M	M	Aggravated Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 2 Victims. Administrative Discharge Chapter 14-12b Discharge - Misconduct
469	Third	UNK	E1	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
470	Second	E3	E3	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
471	Fourth	E2	E1	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Subject found not guilty at GCM, no action taken.
472	First	CIV	E5	M	M	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
473	Second	E5	E5	M	F	Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
474	Third	E3	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, False Statement, Conspiracy) in Field Grade NJP, Reduced to E1, forfeit \$1,346, and 45 days extra duty and restriction.
	Third	E3		M		Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault, False Statement, Conspiracy) in Field Grade NJP, Reduced to E1, forfeit \$1,346, and 45 days extra duty and restriction.
475	Fourth	E3	E4	M	F	Rape and Forcible Sodomy	DoD Action Precluded - Suspect Deceased or Deserted	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Suspect a fugitive no action taken.
476	Second	E7	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
477	Second	E6	E4	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E5.
478	Second	E5	E4	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Weak or insufficient legally no action taken.
			E5		F			
479	First	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$1500, and 30 days extra duty/restriction.
480	Second	E4	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
481	Third	W1	CIV	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
482	First	CIV	E3	M	F	Rape	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim.
483	Second	E3	CIV	M	F	Aggravated Sexual Assault and Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Wrongful Sexual Contact, Making a False Statement) in Field Grade NJP, 30 days extra duty, written counseling, and oral admonition.
484	Fourth	UNK	E7	U	F	Rape and Forcible Sodomy	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.
485	Second	E6	E3	M	M	Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
486	Third	E6	CIV	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
487	Second	E6	CIV	M	F	Aggravated Sexual Contact, Rape and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact, Rape and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
488	Second	UNK	E2	U	F	Rape	Subject unknown	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
489	Second	E6	E2	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 4 Victims. Subject found guilty at Field Grade NJP reduced to E5, forfeit \$1414.20 and written reprimand.
			E3		F			
			E2		F			
			E1		F			
490	Third	E4	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
491	Second	E5	CIV	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
492	Third	E5	E4	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
493	Third	E6	CIV	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
494	Second	E4	E4	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
495	First	O3	E4	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
496	First	E3	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E2, forfeit \$1398, and 45 days extra duty/restriction.
497	Fourth	E7	FRCiv	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Rape and Forcible Sodomy) in General Courts-Martial, reduced to E1, confinement for 8 years, and DD.
498	Second	E5	CIV	M	F	Abusive Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
499	Second	E3	E3	M	M	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Other administrative actions oral reprimand.
500	Second	E5	FRCiv	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP received 30 days extra duty and restriction.
501	Second	E4	E1	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Court's response pending.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
502	Second	E4	E1	M	M	Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS unknown location; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offenses (Assault and Consensual Sodomy) in Field Grade NJP, Reduced to E1.
503	Third	E5	E1	M	F	Aggravated Sexual Assault and Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 2 Victims. Subject pending GCM.
504	Third	E2	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Colorado Springs Police Department (CSPD) found no evidence to substantiate allegation, no action taken.
505	Third	UNK	O1	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
506	Fourth	E5	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP
507	Second	O3	O3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Administrative Action, General Officer Letter of Reprimand.
508	Second	E4	CIV	M	F	Aggravated Sexual Assault	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. victim declined to participate in military justice action no action taken.
509	Second	E1	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. No record of action taken on sexual assault, Subject received Administrative Discharge Chapter 14-12b - Misconduct (Drugs).
	Second	E1		M		Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. No record of action taken on sexual assault, Subject received Administrative Discharge Chapter 14-12b - Misconduct (Drugs).
510	Third	E5	CIV	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
511	Fourth	E4	CIV	M	F	Rape	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Subject received Chapter 14 - Misconduct Separation on Jul 17 2009. Pending prosecution by civilian authorities.
512	Third	E4	FRCiv	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
513	Second	E4	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$2,218 and 30 days extra duty/restriction.
514	Second	E1	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
515	Third	UNK	E3	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
516	Second	E4	CIV	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Command found witness lacked credibility, Subject received mandatory referral to Family Advocacy Program.
517	Second	E2	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found guilty of lesser offense in Louisiana Criminal Courts probation for 6 months and fined \$927.00.
518	Second	E4	CIV	M	F	Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Forcible Sodomy against 2 Victims. Charges dismissed by Courts Martial Convening Authority.
519	Third	E4	E4	M	F	Aggravated Sexual Assault	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. victim declined to participate in military justice action no action taken.
520	Second	UNK	O3	U	F	Indecent Assault	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim. Investigation failed to identify Subject no action taken.
521	Fourth	UNK	E2	U	M	Forcible Sodomy	Subject unknown	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.
522	Second	E8	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Other administrative actions relieved from duty and Relief for Cause NCOER.
			E3	F				
523	Third	E3	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions
524	Fourth	O2	O3	M	F	Rape and Forcible Sodomy	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
525	Third	E5	FRCiv	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Rape, Forcible Sodomy, Kidnapping) in Field Grade NJP, Reduced to E4, forfeit \$2218, and 30 days extra duty.
526	Second	E3	E3	M	F	Aggravated Sexual Contact	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. victim declined to participate in military justice action no action taken.
527	Second	E6	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim.
528	Third	E3	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim.
529	Fourth	E2	E1	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Assault Consumated by a Battery, Indecent Acts, Personal Relations Among Military) in General Courts-Martial, reduced to E1, forfeiture, confinement for 1 year.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
530	Fourth	E3	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty of lesser offense at NJP, unknown, DA Form 4833 not completed
531	Second	E1	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions oral counseling.
532	Second	E4	E4	M	M	Wrongful Sexual Contact and/or Indecent Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact and/or Indecent Assault against 2 Victims. UCMJ RCM 306(c)(1) no action taken.
			E4		M			
533	Second	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim.
534	Third	UNK	E2	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
	Third	UNK		U	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.	
	Third	UNK		U	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.	
	Third	UNK		U	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.	
	Third			U	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.	
535	Second	FRCiv	E6	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
536	Fourth	UNK	E1	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
537	Third	UNK	E1	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
		UNK		U	Forcible Sodomy	Subject unknown	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.	
		UNK		U	Forcible Sodomy	Subject unknown	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.	
538	Second	E4	CIV	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
539	Second	E2	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1,344.00.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
540	Second	E4	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP reduced to E3, forfeit \$1,012, extra duty for 45 days, and restriction for 10 days.
			CIV		F			
541	Fourth	E4	E1	M	M	Forcible Sodomy and Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Forcible Sodomy, and False Official Statement) in General Courts-Martial, reduced to E1, forfeiture of all pay and allowances, confinement for 3 years, and DD.
542	Second	E4	E3	M	F	Aggravated Sexual Assault and Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
543	Second	E1	E1	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 5 Victims. Subject found guilty at Company Grade NJP, discharged, Chapter 14 - Misconduct.
			E1		M			
			E3		M			
			E1		M			
			E3		M			
544	Third	E2	E2	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Discharge ILO CM Chapter 10 - Discharge ILO CM.
545	Second	E3	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E2, forfeit \$366, extra duty and restriction for 14 days, and written reprimand in local file.
546	Second	E6	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found not guilty at Field Grade NJP no action taken.
547	Second	E7	E4	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written reprimand in OMPF.
548	Second	UNK	E4	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
549	Fourth	E5	E3	M	F	Wrongful Sexual Contact	DoD Action Precluded - insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
550	Fourth	E2	E3	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) Subject Permanent Change Of Station
551	Second	E5	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written reprimand in local file.
552	Second	E3	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP received verbal reprimand.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
553	Second	UNK	E3	U	F	Rape	Subject unknown	Occurred: CONUS off-base; alcohol:U; drugs:U. Subject allegedly committed Rape against Victim. Investigation failed to identify Subject no action taken.
	Second	UNK		U		Rape	Subject unknown	Occurred: CONUS off-base; alcohol:U; drugs:U. Subject allegedly committed Rape against Victim. Investigation failed to identify Subject no action taken.
	Second	UNK		U		Rape	Subject unknown	Occurred: CONUS off-base; alcohol:U; drugs:U. Subject allegedly committed Rape against Victim. Investigation failed to identify Subject no action taken.
	Second	UNK		U		Rape	Subject unknown	Occurred: CONUS off-base; alcohol:U; drugs:U. Subject allegedly committed Rape against Victim. Investigation failed to identify Subject no action taken.
	Second	UNK		U		Rape	Subject unknown	Occurred: CONUS off-base; alcohol:U; drugs:U. Subject allegedly committed Rape against Victim. Investigation failed to identify Subject no action taken.
554	Second	UNK	E5	U	F	Abusive Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
555	Third	UNK	E2	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
	Third	UNK		U		Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
556	Second	E4	E5	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E3, forfeit \$409.00, and 7 days extra duty.
557	Fourth	E3	E3	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Discharge ILO CM Chapter 10 - Discharge ILO CM.
558	Third	E2	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Assault) in Field Grade NJP, Reduced to E1, forfeit \$1,398.00, and 45 days extra duty and restriction.
559	Third	E5	E3	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
560	Third	UNK	E4	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
561	Third	E3	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
562	Second	E2	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, forfeit \$366.00.
563	Second	E5	E2	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$2,218, and 45 days extra duty and restriction.
564	Second	E5	E4	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions written reprimand in OMPF.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
565	Third	E3	E2	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty of lesser offense at Field Grade NJP forfeit \$1,650, and 45 days extra duty and restriction.
566	Second	UNK	E4	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
567	Second	UNK	E4	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
568	Third	E4	CIV	M	F	Wrongful Sexual Contact	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. victim declined to participate in military justice action no action taken.
569	Second	E1	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Court's response pending.
	Second	E2		M		Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Court's response pending.
570	Second	E2	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP forfeit \$790, and 45 days extra duty and restriction.
			E1	M	F			
571	Third	E5	E4	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
572	Fourth	E2	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Wrongful Possession and Distribution of Illegal Drugs.) in General Courts-Martial, reduced to E1, confinement for 1 year, and BCD.
573	Third	CIV	E5	M	M	Abusive Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim.
574	Second	E2	CIV	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
575	Third	E6	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Subject found guilty of lesser offense in Kansas Criminal Courts received 2 years probation, and DD.
576	Fourth	E4	CIV	F	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Furnishing Alcohol to Minor) in General Courts-Martial, received confinement for 30 days, and BCD.
	Third	E5		M		Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in Field Grade NJP, Reduced to E4.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
577	Third	E4	E4	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E3 and extra duty for 14 days.
	Third	E2		M		Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E1 and extra duty for 14 days.
578	Second	E6	E3	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at GCM, reduced to E3, forfeit \$4,500, and confinement for 60 days.
579	Third	E1	E3	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Soldier was exonerated, no action taken.
580	Second	O6	E5	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written reprimand in local file.
581	Second	E5	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$2,218, and 45 days extra duty.
582	Second	E3	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty of lesser offense at Field Grade NJP forfeit \$500, and 30 days extra duty and restriction.
583	Second	E1	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Subject found guilty in New York Criminal Court, sanctions unknown, not completed on DA 4833.
584	Third	E1	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1,398.00, and 30 days extra duty and restriction.
585	Third	E2	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found guilty of lesser offense (underage drinking) at Field Grade NJP, reduced to E1, forfeit \$800, and 45 days extra duty/restriction.
586	Third	E5	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, forfeit \$1,977, and extra duty/restriction for 7 days.
587	Third	E5	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Rape and Making a False Statement) in Field Grade NJP, Forfeiture \$623, and 14 days extra duty and restriction.
588	Second	E2	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E1, forfeit \$326, 14 days extra duty and restriction, and oral reprimand.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
589	Fourth	E4	FRCiv	M	F	Abusive Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. UCMJ RCM 306(c)(1) no action taken.
			FRCiv		F			
590	Second	E2	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1398 and 45 days extra duty/restriction.
591	Third	E6	E5	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Contact) in Field Grade NJP, Reduced to E5.
592	Third	O4	E5	M	F	Wrongful Sexual Contact	DoD Action Precluded - Probable cause for non-sexual assault offense only	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Probable cause for only non-sexual assault offense written reprimand in local file.
593	Third	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$2218, and 45 days extra duty and restriction.
594	Second	E4	E2	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS off-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
595	Second	E3	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.
596	Third	E1	CIV	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
597	Third	E4	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Unlawful Possession of a Weapon) in Field Grade NJP, Reduced to E3, forfeit \$1,752, and 45 days extra duty/restriction.
598	Second	UNK	O3	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
599	Second	E7	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Subject found guilty at SCM, reduced to E6 and forfeit \$2281.
			E1		F			
600	Third	E1	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Wrongful Sexual Contact and False Official Statement) in Field Grade NJP, Reduced to E1, forfeit \$1,398.00, and 45 days extra duty and restriction.
601	Third	E1	E1	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. No action taken on sexual assault, Subject received Field Grade NJP for lesser offense, and subsequently Subject and Victim married.
602	Third	E5	CIV	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: N; Victim(s): 1. Subject was found Guilty (Rape and Forcible Sodomy) in Company Grade NJP, Forfeiture \$1000, and 15 days extra duty and restriction.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
603	Third	E2	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions received written counseling in local file and oral reprimand.
604	Fourth	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Subject found guilty of lesser offense in Tennessee Criminal Court received probation for 12 months.
605	Fourth	E5	CIV	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. No Probable Cause to believe offense occurred no action taken.
606	Second	FRCiv	E4	M	F	Rape	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim.
607	Second	E4	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Commander's response pending.
608	Third	O6	CIV	M	F	Wrongful Sexual Contact or Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact or Indecent Assault against 4 Victims. Other administrative actions barred from RIA by Senior Mission Commander.
			CIV		F			
			CIV		F			
			CIV		F			
609	Fourth	O3	E4	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Discharge ILO CM Chapter 10 - Discharge ILO CM.
610	Second	E4	E1	M	F	Aggravated Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Referred to NCIS for investigation and prosecution.
611	Fourth	E2	E1	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Subject found not guilty at Field Grade NJP no action taken.
612	Third	E4	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Charges were prosecuted by civilian authorities, and case was dismissed. Subject received Administrative discharge Chapter 14-12c - Misconduct
613	Third	E7	CIV	M	F	Aggravated Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Subject found not guilty in Magistrate Court, no action taken.
614	Third	O3	E6	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
615	Second	E1	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, forfeit \$870.00 and 14 days extra duty and restriction.
616	Third	UNK	E5	U	F	Forcible Sodomy	Subject unknown	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
617	Second	FRCiv	E3	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
618	Fourth	E2	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM Chapter 10 - Discharge ILO CM.
619	Second	E1	E1	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found not guilty at Field Grade NJP no action taken.
620	Fourth	E5	E4	M	F	Forcible Sodomy	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. victim declined to participate in military justice action no action taken.
621	Fourth	E1	E1	M	F	Abusive Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
622	Third	E5	E3	M	F	Rape and Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape and Wrongful Sexual Contact against 1 Victim. Victim withdrew cooperation after Article 32 Hearing. Subject found guilty of lesser offense (Inappropriate Relationship) at Field Grade NJP, unknown sanctions, DA Form 4833 not completed.
623	Third	E3	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally no action taken.
624	Fourth	E4	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions
625	Second	CIV	E5	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
626	Third	E3	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions
627	Third	E4	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written Letter of Concern in local file.
628	Second	UNK	E2	U	F	Rape	Subject unknown	Occurred: CONUS unknown location; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
	Second	UNK		U		Rape	Subject unknown	Occurred: CONUS unknown location; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
629	Third	E6	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E5, forfeit \$500, and 45 days extra duty/restriction.
630	Third	E3	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E2, forfeit \$1668, and 45 days extra duty and restriction .

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
631	Second	E4	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E2, forfeit \$1,668, and 45 days extra duty/restriction.
632	Second	CIV	E3	M	F	Rape	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Rape against 1 Victim. Referred to FBIWaco Resident AgencyWacoTX for investigation and prosecution.
633	Third	E4	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Subject appeared before Field Grade NJP, DA Form 4833 incomplete.
			E3		F			
634	Fourth	E7	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions written reprimand in local file.
635	Fourth	E6	CIV	M	F	Rape	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. victim declined to participate in military justice action no action taken.
636	Third	UNK	E6	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
637	Fourth	E2	FRCiv	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N; Victim(s): 2. Subject was found Guilty (Rape, False Official Statement, and other A134 Offenses) in General Courts-Martial, reduced to E1, forfeit all pay and allowances, confinement for 20 years, and DD.
			E4		F			
638	Third	UNK	E3	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
639	Third	UNK	E2	U	F	Aggravated Sexual Contact	Subject unknown	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
640	Fourth	E6	E4	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions received written admonition in local file, and promotion orders revoked.
641	Third	E3	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at GCM, reduced to E1, forfeit all pay and allowances, confinement for 2 years, and DD.
642	Fourth	E2	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Charges have been preferred, pending Article 32 Investigation.
643	Fourth	E1	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Discharge ILO CM Chapter 10 - Discharge ILO CM.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
644	Fourth	E5	CIV	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Non-Forcible Sodomy, Adultery, Assault, etc.) in General Courts-Martial, reduced to E1, forfeit all pay and allowances, confinement for 9 months, and BCD.
645	Second	E7	E5	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Administrative Action
646	Third	E1	CIV	M	F	Rape	DoD Action Precluded - Suspect Deceased or Deserted	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Suspect a fugitive no action taken.
647	Fourth	E5	E4	M	F	Forcible Sodomy and Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Abusive Sexual Contact and Forcible Sodomy) in General Courts-Martial, reduced to E1, confinement for 33 months, and BCD.
648	Second	E3	E3	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 3 Victims. Subject found guilty at Field Grade NJP reduced to E1, forfeit \$1,398.00, and 45 days extra duty and restriction.
			E3		M			
			E4		M			
649	Fourth	E3	E2	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Wrongful Sexual Contact) in General Courts-Martial, reduced to E1, forfeiture, confinement for 3 months.
650	Third	E4	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP reduced to E2, and 45 days extra duty and restriction.
			E3		F			
651	Fourth	E4	E2	M	M	Forcible Sodomy and Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Forcible Sodomy and Abusive Sexual Contact against 1 Victim. Discharge ILO CM Chapter 10 - Discharge ILO CM.
652	Third	E4	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found not guilty at SCM, no action taken.
653	Third	E2	CIV	M	F	Forcible Sodomy	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Weak or insufficient legally no action taken.
654	Fourth	E4	E4	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Rape against 1 Victim. No action taken, Subject ETS'd prior to completion of CID investigation.
655	Third	E1	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Administrative Discharge, Chapter 11 - Entry Level Performance and Conduct.
656	Third	UNK	E1	U	F	Rape and Forcible Sodomy	Subject unknown	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape and Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
657	Fourth	E5	E4	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Charges dismissed, by Courts Martial Convening Authority.
658	Fourth	E3	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP, reduced to E1, forfeit \$1,398.00, and 45 days extra duty/restriction.
659	Third	E6	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Suspect To Be Prosecuted By Other Authorities.
660	Second	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: Y. Where Subject allegedly committed Rape against 1 Victim.
661	Fourth	E1	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Subject found guilty in Florida Criminal Court fined \$518.00 and received 60 months probation.
662	Fourth	CIV	E4	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.
663	Fourth	E5	E3	M	M	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 2. Subject was found Guilty (Forcible Sodomy, Abusive Sexual Contact, False Official Statement) in General Courts-Martial, reduced to E1, forfeiture of all pay and allowances, confinement for 10 years and DD.
			E3		M			
			E3		M			
664	Fourth	E5	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP, suspended reduction to E4.
665	Fourth	E4	E4	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
666	Fourth	E2	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. After Article 32 Hearing, Subject found guilty of lesser offense (Adultery) at Field Grade NJP unknown sanctions, DA Form 4833 not completed.
667	Fourth	E7	CIV	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
668	Fourth	E4	CIV	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Commander found insufficient evidence of sexual assault, no action taken.
669	Third	E6	CIV	M	F	Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim. Other administrative actions written Censure in local file.
670	Second	FRCiv	E4	M	M	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
	Second	FRCiv		M		Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
671	Fourth	O5	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Article 32 Investigation completed, pending findings.
672	Fourth	E4	E3	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
673	Fourth	UNK	E3	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
	Fourth	UNK		U		Rape	Subject unknown	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
674	Third	E4	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E3, forfeit \$1858, and 45 days extra duty and restriction.
675	Fourth	E3	FRCiv	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Commander's response pending.
676	Second	CIV	E4	M	F	Abusive Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim.
677	Fourth	E4	CIV	M	F	Rape	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. no action taken.
678	Third	E2	E4	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Forcible Sodomy) in Summary Courts-Martial, reduced to E1 and 45 days extra duty.
679	Second	FRCiv	E3	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
680	Fourth	E5	E2	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Adultery) in Field Grade NJP, Reduced to E4, forfeit \$600, and 45 days extra duty.
681	Third	E1	E1	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Rape) in Summary Courts-Martial, forfeit \$933, and confinement for 30 days.
682	Fourth	E5	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.
683	Fourth	O5	O4	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Article 32 Investigation completed, pending findings.
684	Third	E5	E5	M	F	Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
685	Fourth	E3	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
686	Third	UNK	E3	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
687	Fourth	E6	E2	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP, reduced to E5, forfeit \$1,249, and 45 days extra duty/restriction.
688	Third	E7	E4	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
689	Third	UNK	E2	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
690	Fourth	E4	E4	M	M	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (False Official Statement, Wrongful Use of Drugs) in Summary Courts-Martial, reduced to E1, forfeit \$933, and confinement for 30 days.
691	Fourth	E3	E3	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found not guilty in Florida Criminal Court no action taken.
692	Third	E5	E3	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. District Attorney declined to prosecute, no action taken.
693	Fourth	E4	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Rape) in General Courts-Martial, reduced to E1, forfeiture, confinement for 3 years, and BCD.
694	Third	E5	E1	M	M	Wrongful Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Suspect To Be Prosecuted By Other Authorities.
695	Third	UNK	E3	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
696	Fourth	E4	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Administrative action
697	Third	E3	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Grand Jury found Weak or insufficient evidence, no action taken.
698	Fourth	E6	E4	M	F	Rape and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Adultery) in Field Grade NJP, Reduced to E5, forfeit \$1,400, restriction for 30 days, and oral reprimand.
699	Third	CIV	E2	M	F	Rape	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim.
700	Third	E7	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. declined without explanation
701	Fourth	E2	CIV	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Administrative action
702	Third	E5	E2	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject pending NJP.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
703	Fourth	E4	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E3, and forfeit \$434.
704	Third	E4	E2	M	M	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Discharge ILO CM, Chapter 10 - In Lieu of Court Martial.
705	Third	E5	O1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty of lesser offense at Field Grade NJP reduced to E4, forfeit \$2126, and 45 days extra duty and restriction.
706	Third	UNK	E4	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Failed to identify Subject no action taken.
	Third	UNK		U		Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Failed to identify Subject no action taken.
	Third	UNK		U		Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Failed to identify Subject no action taken.
707	Third	E5	CIV	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) Subject released from Active Duty prior to action being taken.
708	Fourth	UNK	E2	U	F	Rape	Subject unknown	Occurred: CONUS off-base; alcohol: Y; drugs: N. Subject allegedly committed Rape against Victim. Investigation failed to identify Subject no action taken.
709	Fourth	E3	CIV	M	F	Rape	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. victim recanted and declined to participate in military justice system no action taken.
710	Fourth	E2	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Administrative action
711	Fourth	Cadet	Cadet	M	F	Aggravated Sexual Contact and/or Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Contact against 2 Victims. Other administrative actions awarded 35 demerits, withdrawal of privileges for 2 months, and 60 hours of punishment.
			Cadet		F			
712	Third	E3	E4	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Subject allegedly committed Rape against 1 Victim. Weak/insufficient legally, no action taken.
713	Third	UNK	E1	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
714	Third	E4	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E3.
715	Third	E4	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Charges dismissed at Field Grade NJP no action taken.
716	Third	E2	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP
			E1		F			

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
717	Third	E6	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to PO1, and forfeiture \$3,369.00.
718	Fourth	E3	CIV	M	F	Aggravated Sexual Assault	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. victim declined to participate in military justice system no action taken.
719	Third	UNK	E6	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
720	Third	E9	E4	M	F	Aggravated Sexual Assault	DoD Action Precluded - Suspect Deceased or Deserted	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Suspect deceased no action taken.
721	Third	E4	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 7 Victims. Subject received administrative discharge, Chapter 14-12c - Misconduct.
			E1		F			
			E3		F			
			E1		F			
			E2		F			
			E1		F			
722	Third	FRCiv	E3	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
723	Fourth	O5	E8	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Subject found guilty of lesser offenses (Adultery and Conduct Unbecoming) at GCM, received DD.
724	Third	E3	CIV	M	F	Aggravated Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
	Third	E3		M		Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Administrative action
725	Fourth	UNK	E4	U	F	Rape	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
726	Fourth	E4	CIV	M	F	Forcible Sodomy	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
727	Third	UNK	E2	U	F	Rape	Subject unknown	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
	Third	UNK		U		Rape	Subject unknown	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
	Third	UNK		U		Rape	Subject unknown	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
728	Third	E4	E5	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) Prosecution declined/Other, no action taken.
729	Fourth	WO2	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: N; drugs: Y. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Administrative Discharge, Chapter 2 - REFRAD of Warrant Officer, and oral consoling.
730	Fourth	E4	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in General Courts-Martial, reduced to E1, confinement for 2 years, and BCD.
731	Fourth	E2	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Other administrative actions received no contact order and reassigned to different unit.
732	Fourth	E3	E4	M	F	Aggravated Sexual Assault	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
733	Fourth	E7	CIV	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Administrative action
734	Third	E3	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E3, forfeit \$600, and 14 days extra duty and restriction.
735	Fourth	E3	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP
736	Third	E3	E4	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 4 Victims. Other administrative actions received written counseling in local file and oral reprimand.
			E3	M	M			
			E4	M	M			
			E3	M	M			
737	Third	E1	E2	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$699.00, and 14 days extra duty and restriction.
738	Fourth	E4	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E3, and Chapter 14 - Misconduct Discharge.
739	Fourth	E5	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Spouse recanted resulting in Weak or insufficient evidence no action taken.
740	Third	E3	E4	F	F	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at SCM, forfeit \$300.00.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
741	Fourth	E1	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP discharged, Chapter 14 - Misconduct.
742	Third	FRCiv	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions debarment for 1 year.
743	Third	E2	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP
744	Fourth	E6	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP, reduced to E5, and forfeit \$3,482.
745	Fourth	E4	CIV	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.
746	Third	E4	CIV	M	F	Abusive Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
747	Fourth	E2	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject received NJP sanctions unknown.
748	Fourth	E5	CIV	M	F	Wrongful Sexual Contact	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. victim declined to participate in military justice system no action taken.
749	Fourth	E1	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Commander's response pending.
750	Third	E1	E4	M	M	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Subject found guilty at Company Grade NJP
			E1	M				
751	Third	UNK	E2	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
752	Fourth	E5	E3	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Aggravated Assaults, Child Endangerment) in General Courts-Martial, confinement for 6 months and BCD.
753	Fourth	E2	CIV	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) couple re-united through counseling, no action taken.
754	Fourth	E1	E1	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Commander's response pending.
755	Fourth	E8	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP, forfeit \$4,356, extra duty for 45 days, and written reprimand in local file.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
756	Third	UNK	E2	U	M	Forcible Sodomy	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim. Investigation failed to identify Subject no action taken.
757	Third	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4 and forfeit \$1,828.
758	Fourth	E6	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Results and type of NJP are unknown at this time.
759	Fourth	WO1	WO1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Administrative action
760	Third	E5	E3	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Administrative action, written reprimand in OMPF.
761	Fourth	E2	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Administrative action
			E1		F			
762	Fourth	E6	CIV	M	F	Rape	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. no action taken.
763	Third	E1	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Administrative action
764	Fourth	E4	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Suspect To Be Prosecuted By Other Authorities
765	Third	E4	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E3, and 15 days extra duty.
766	Fourth	E1	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in Company Grade NJP, Forfeiture \$326, and 14 days extra duty/restriction.
767	Fourth	GS5	E8	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
768	Third	E1	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 4 Victims. Subject found guilty at Field Grade NJP forfeit \$1398 and 45 days extra duty and restriction.
			E3		M			
			E3		M			
			E3		F			
769	Fourth	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions oral counseling and written reprimand in local file.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
770	Third	E5	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP
			CIV		F			
771	Third	FRCiv	E4	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
772	Third	E2	E2	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Discharge ILO CM, Chapter 10 - In Lieu of Court Martial.
773	Third	E1	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, received 14 days extra duty and restriction.
774	Fourth	E4	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Administrative action
775	Third	FRCiv	E5	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions permanently barred from entry into US military base.
776	Fourth	CIV	E3	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
777	Fourth	CIV	E3	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
778	Fourth	E1	CIV	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
779	Fourth	E5	E4	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP
			E4		F			
780	Third	E4	CIV	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Administrative action
781	Fourth	E3	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Pierce County Prosecutor declined to prosecute no action taken.
782	Third	E1	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Administrative action
783	Fourth	FRCiv	E3	M	M	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
784	Fourth	E3	CIV	M	F	Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
785	Fourth	E1	E2	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
786	Third	FRCiv	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions
787	Third	E1	E1	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP
788	Third	E6	E4	M	F	Wrongful Sexual Contact	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. victim declined to participate in military justice system no action taken.
789	Fourth	O3	E4	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offenses (Adultery, Fraternization, and Maltreatment) in General Officer Imposed NJP, Forfeiture \$3,540 and written reprimand in OMPF.
790	Fourth	E6	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP sanctions unknown, DA 4833 not completed.
791	Fourth	E1	E1	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Discharge ILO CM, Chapter 10 - In Lieu of Court Martial.
792	Fourth	E2	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Inappropriate Relationship) in Unknown NJP, Sanctions unknown, DA Form 4833 not completed.
793	Fourth	E1	E1	M	F	Aggravated Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim.
794	Third	FRMil	E3	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
795	Third	E5	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP
796	Fourth	E2	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP
797	Fourth	E3	CIV	M	F	Aggravated Sexual Assault and Forcible Sodomy	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol:U; drugs:U. Subject allegedly committed Aggravated Sexual Assault and Forcible Sodomy against 1 Victim. Victim declined to participate in military justice system no action taken.
798	Fourth	E6	E2	M	F	Aggravated Sexual Assault and Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (Inappropriate Relationship and Adultery) in Field Grade NJP, Reduced to E5, forfeit \$2,334, and 45 days extra duty/restriction.
799	Third	E6	E4	M	F	Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
800	Fourth	E5	E3	M	F	Wrongful Sexual Contact	Dod Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Weak or insufficient legally no action taken.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
801	Fourth	E4	CIV	M	F	Rape	Dod Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Weak or insufficient legally, no action taken.
802	Fourth	E3	E2	F	F	Aggravated Sexual Assault	Dod Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
803	Fourth	UNK	E4	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. no action taken.
804	Fourth	E3	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Administrative action
805	Fourth	UNK	E2	U	F	Rape	Subject unknown	Occurred: CONUS unknown location; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.
806	Fourth	E1	E2	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol:N; drugs:N. Subject allegedly committed Wrongful Sexual Contact against 15 Victims. Subject found guilty at SCM, forfeit \$929, confined for 7 days, and Chapter 14 - Misconduct Separation.
			E1		M			
			E2		M			
			E1		M			
			E1		M			
			E2		M			
			E2		M			
			E1		M			
			E3		M			
			E2		M			
			E2		M			
			E1		M			
E1	M							
807	Fourth	E6	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 3 Victims. Subject found guilty at Field Gade NJP reduced to E5, and 45 days extra duty/restriction.
CIV			F					
CIV			F					
808	Fourth	E5	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP
809	Fourth	E2	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP
810	Fourth	E3	E1	M	F	Aggravated Sexual Assault	Dod Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Weak or insufficient legally no action taken.
811	Fourth	E1	E3	M	M	Abusive Sexual Contact and/or Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact and/or Wrongful Sexual Contact against 3 Victims. Subject found guilty at Field Grade NJP
			E1		M			
			E1		M			

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
812	Fourth	E4	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 3 Victims. Subject found guilty at Company Grade NJP, reduced to E3, forfeit \$434, and 3 days extra duty/restriction.
			E4		F			
			CIV		F			
813	Fourth	E6	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E5, and forfeit \$2,770.
814	Fourth	FRCiv	E4	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
815	Fourth	E5	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP
816	Fourth	E5	E3	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Commander's response pending.
817	Fourth	FRCiv	E4	M	F	Abusive Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim.
818	Fourth	E7	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at SCM, reduced to E6, and 45 days extra duty/restriction.
819	Fourth	UNK	E3	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
820	Fourth	E6	E3	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E5, forfeit \$2,800, and 45 days extra duty.
821	Fourth	E3	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 3 Victims. Commander's response pending.
822	Fourth	FRCiv	E4	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
823	Fourth	E3	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP forfeit \$1,398, and 45 days extra duty.
824	Fourth	YI2	E3	M	F	Abusive Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim.
825	Fourth	E7	E7	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: U; drugs: Y. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1)
826	Fourth	UNK	E4	U	F	Wrongful Sexual Contact	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Investigation failed to identify Subject no action taken.
827	Fourth	E2	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions oral counseling.
828	Fourth	FRCiv	E5	M	M	Abusive Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis	
829	Fourth	E7	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty of lesser offense at Field Grade NJP forfeit \$4,620, resignation, and 45 days extra duty/restriction.	
830	Fourth	E2	CIV	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.	
831	Fourth	UNK	E2	U	F	Rape	Subject unknown	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. Investigation failed to identify Subject no action taken.	
832	Fourth	CIV	E4	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.	
833	Fourth	E6	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: Y; Victim(s): 2. Subject was found Guilty of lesser offense (Attempted Wrongful Distribution of Oxycodone) in Field Grade NJP, Reduced to E5.	
			CIV		F				
834	Fourth	E1	E2	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 2 Victims. Subject found guilty at Field Grade NJP received Chapter 14 - Misconduct Separation.	
			E2		F				
835	Fourth	E1	E1	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 3 Victims. Subject found guilty at Company Grade NJP forfeit \$302, and 14 days extra duty.	
			E3		M				M
			E4		M				M
836	Fourth	E3	E2	F	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field grade NJP, reduced to E1, and forfeiture \$1568.	
837	Fourth	E1	E4	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim.	
838	Fourth	E3	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E1, forfeit \$1,398, and oral reprimand.	
839	Fourth	E6	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim. Civilian Authorities declined to prosecute and Command followed suit.	
840	Fourth	E5	E5	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP reduced to E4, forfeit \$1,109, and 45 days extra duty.	
841	Fourth	E4	E4	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.	
842	Fourth	E2	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP,	
843	Fourth	CIV	E5	M	F	Rape	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim.	
844	Fourth	FRCiv	E3	M	F	Abusive Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim.	

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
845	Fourth	E4	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim.
846	Fourth	E3	E1	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions oral counseling.
847	Fourth	E5	CIV	M	F	Rape and/or Forcible Sodomy	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape and/or Forcible Sodomy against 2 Victims.
			CIV		F			
848	Fourth	E1	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at SCM forfeit \$3000, and correctional custody for 30 days.
849	Fourth	E2	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Administrative discharge Chapter 11 - Entry Level Performance and Conduct.
850	Fourth	E4	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions
851	Fourth	E3	E1	M	F	Wrongful Sexual Contact	DoD Action Precluded - Victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. victim declined to participate in military justice system no action taken.
852	Fourth	E4	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Summarized NJP, written counseling in local file, and 14 days extra duty/restriction.
853	Fourth	FRMil	E5	M	M	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
854	Fourth	E3	E1	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim. UCMJ RCM 306(c)(1) no action taken.
855	Fourth	E4	E4	F	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Company Grade NJP, reduced to E3, forfeit \$384.
856	Fourth	FRCiv	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions
857		E4	CIV	M	F	Rape and Aggravated Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim.
858	Fourth	UNK	E4	U	F	Aggravated Sexual Assault	Subject unknown	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim. Investigation failed to identify Subject no action taken.
859	Fourth	WO2	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions sanctions unknown, not completed on DA 4833.
860	Fourth	FRCiv	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Other administrative actions

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
861	Fourth	CIV	O2	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
862	Fourth	E4	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Subject found guilty at Field Grade NJP received Chapter 14 - Misconduct Discharge.
863	Fourth	CIV	E4	M	F	Rape	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim.
864	Fourth	FRCIV	E2	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
865	Fourth	FRCiv	E4	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim.
866	Fourth	E1	E1	F	M	Wrongful Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Administrative discharge Chapter 11 - Entry Level Performance and Conduct.
867	Fourth	E3	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim. Commander's response pending. sanctions unknown.
868	First	E7	E2	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 2 Victim(s). Subject found guilty at Field Grade NJP forfeit \$1,500.00 and 45 days extra duty.
869	First	E4	E2	M	F	Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Other administrative actions
870	First	E4	E3	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). Charges dismissed when Washington State Courts did not take action and unit followed suit.
871	First	E4	E3	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: Y; Victim(s): 1. Subject was found Guilty of lesser offense (Making a False Statement) in Field Grade NJP, reduced to E3, and forfeit \$729.
872	First	UNK	O1	U	F	Indecent Assault	Subject unknown	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Investigation failed to identify Subject no action taken.
873	First	E5	E2	M	F	Indecent Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). UCMJ RCM 306(c)(1) Unit relocated to Korea and SJA has no record of disposition being taken.
874	First	E4	CIV	M	F	Forcible Sodomy	DoD Action Precluded - victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim(s). victim declined to participate in military justice action no action taken.
875	First	E3	CIV	M	F	Rape	DoD Action Precluded - Statute of limitations	Occurred: CONUS off-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Rape against 1 Victim(s). statute of limitations no action taken.
876	First	E1	E3	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at Field Grade NJP forfeit \$1,300.00 and 45 days extra duty and restriction.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
877	First	E4	CIV	M	F	Forcible Sodomy	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim(s). Subject found guilty in Virginia Criminal Court, confinement for 5 years, and \$250 fine.
878	First	E5	E3	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E4, forfeit \$2,062, and 45 days extra duty.
879	First	FRMil	E4	M	F	Indecent Assault	Civilian or Foreign Authority - not subject to UCMJ	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Unknown after several queries by HQ USACIDC to Jordanian Embassy no action taken.
880	First	E3	E3	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: Y. Where Subject allegedly committed Rape against 1 Victim(s). weak or insufficient legally no action taken.
881	First	E5	E2	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E4, forfeit \$2,062, and 45 days extra duty.
882	First	E4	E3	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (False Swearing) in Company Grade NJP, Reduced to E3, forfeit \$806, and 14 days restriction and extra duty.
883	First	E1	E2	M	F	Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Other administrative actions written letter of reprimand in local file.
884	First	E5	E4	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at SPCM, reduced to E3, confinement for 150 days, and BCD.
885	First	E3	E2	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at GCM, reduced to E1.
886	First	E4	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Rape) in Field Grade NJP, Forfeiture \$1300, and 45 days extra duty and restriction.
887	First	Cadet	Cadet	M	F	Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 2 Victim(s). Other administrative actions reduced to Cadet Private, 35 demerits, punishment/fatigue tours of 120 hours, 90 days restriction, and withdrawal of privileges for 90 days.
888	First	E3	E2	M	M	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
889	First	E5	CIV	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 2 Victim(s). Subject found guilty in Korean Criminal Court, confinement for 3 years.
890	First	E4	E3	M	F	Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Other administrative actions written letter of reprimand in local file.
891	First	E6	CIV	M	F	Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Other administrative actions written letter of reprimand in local file.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
892	First	E3	CIV	M	F	Indecent Assault	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Administrative Discharge Chapter 14 - Misconduct.
893	First	E6	E3	M	F	Indecent Assault	Evidence Supports Command Action - Administrative Discharge	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Administrative Discharge Chapter 14 - Misconduct.
894	First	E4	E3	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim(s). Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
895	First	E3	E1	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Rape) in Field Grade NJP, Reduced to E2, forfeit \$1,508 and 45 days restriction and extra duty.
896	First	E1	CIV	M	F	Indecent Assault	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: N; drugs: Y. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Administrative Discharge Chapter 14 - Misconduct.
897	First	E7	E2	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at Field Grade NJP forfeit \$3,674, oral reprimand, and 45 days extra duty and restriction.
898	First	E6	E2	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E5, forfeit \$2,062, and 45 days extra duty.
899	First	E5	E2	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at GCM, reduced to E1, confinement for 12 months, and BCD.
900	First	E1	E2	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at SCM, forfeit \$867, and confinement for 30 days.
901	First	E4	E4	M	F	Indecent Assault	Subject unknown	Occurred: CONUS off-base; alcohol: U; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Investigation failed to identify Subject While victim indicated Subject identified himself as a Soldier, he was never identified no action taken.
902	First	E7	E6	M	F	Indecent Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 2 Victim(s). Other administrative actions written letter of reprimand in OMPF.
903	First	E4	E4	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (False Swearing) in Special Courts-Martial, reduced to E1, forfeit \$3588, and 105 days confinement.
904	First	E1	E2	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at GCM, fined \$867, confinement 1 month, and Chapter 14 - Misconduct discharge.
905	First	E3	E5	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E1, forfeit \$1400, and extra duty for 45 days.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
906	First	E1	E1	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at SCM, forfeit \$867, and confinement for 30 days.
907	First	E5	E3	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
908	First	W2	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victim(s). Subject found guilty at General Officer Imposed NJP restriction for 60 days.
909	First	E2	E2	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim(s). weak or insufficient legally no action taken.
910	First	E3	E4	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at SCM, reduced to E1, and extra duty for 45 days.
911	First	O2	E4	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty (Rape) in Field Grade NJP, Fined \$3,200, forfeiture all pay and allowances for 2 months, and 14 days restriction.
912	First	E4	E3	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty of lesser offense at GCM, reduced to E1, confinement for 2 months, forfeit \$2602, and reprimand.
913	First	E7	E5	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 2 Victim(s). Subject found guilty at SCM,
914	First	E7	E1	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Adultery, Willful Dereliction of Duty, Personal Relations) in General Courts-Martial, reduced to E6, confinement for 5 months 29 days, and reprimand.
915	First	E7	E1	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Adultery, Willful Dereliction of Duty, Personal Relations) in General Courts-Martial, reduced to E6, confinement for 5 months 29 days, and reprimand.
916	First	E4	E3	M	F	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E3, forfeit \$357, and 14 days restriction and extra duty.
917	First	E5	O3	M	M	Indecent Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E4, forfeit \$2,062, and 45 days extra duty and restriction.
918	First	E1	E1	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at GCM, reduced to E1, forfeit \$1,500, and 60 days extra duty.
919	First	O2	E4	M	M	Forcible Sodomy	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim(s). Administrative Discharge Chapter 4 - Officer Elimination.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
920	First	E4	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Attempted Rape) in Field Grade NJP, Forfeiture \$498 and 14 days restriction.
921	First	E1	E3	M	F	Indecent Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). Subject found guilty at SCM, forfeit \$867, confinement for 30 days, and Chapter 14 - Misconduct discharge.
922	First	E6	CIV	M	F	Indecent Assault	DoD Action Precluded - Statute of limitations	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Indecent Assault against 1 Victim(s). statute of limitations no action taken.
923	First	E3	CIV	M	F	Rape	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). UCMJ RCM 306(c)(1) 8th Army Special Troops Bn Commander stated incident happened off-post and Subject has since PCS'd therefore no action taken.
924	First	E4	CIV	M	F	Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim(s). Command found insufficient evidence of sexual assault, however, Subject received written letter of reprimand in local file, and mandatory Sexual Harassment Course.
925	First	E3	CIV	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U; Victim(s): 2. Subject was found Guilty (Rape) in General Courts-Martial, reduced to E1, confinement for 6 years, and DD.
926	First	E9	E4	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Forcible Sodomy against 2 Victim(s). Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
927	First	E3	CIV	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim(s). weak or insufficient legally no action taken.
	First	E4		M		Rape	DoD Action Precluded - victim declined to participate in military justice action	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim(s). victim declined to participate in military justice action no action taken.
928	First	E4	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Other administrative actions written counseling in local file, and adverse flag.
929	First	E2	E2	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Rape) in General Courts-Martial, DA Form 4833 not completed.
930	First	E5	E3	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). Subject found not guilty at GCM, no action taken.
931	First	E3	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at GCM, confinement for 30 days and Chapter 14 - Misconduct Discharge

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
932	First	E5	O1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E4, and 45 days extra duty/restriction.
933	First	E4	CIV	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Rape) in Field Grade NJP, Reduced to E3, forfeit \$890, and 30 days extra duty.
934	First	E2	CIV	M	F	Aggravated Sexual Assault	DoD Action Precluded - victim declined to participate in military justice action	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim(s). victim declined to participate in military justice action no action taken.
935	First	E6	E1	M	M	Aggravated Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim(s). Charges dismissed Charges dismissed on 17 Dec 08.
936	First	E4	CIV	M	F	Rape	Evidence Supports Command Action - Administrative Discharge	Occurred: OCONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). Administrative Discharge Chapter 14 - Misconduct. Civilian court prosecution is pending.
937	First	E5	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject pled no contest at Field Grade NJP reduced to E4, forfeit \$1,978, and 45 days extra duty/restriction.
938	First	E3	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim(s). Charges dismissed by Courts Martial Convening Authority.
939	First	E2	E2	M	M	Wrongful Sexual Contact	DoD Action Precluded - Suspect Deceased or Deserted	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Suspect a fugitive no action taken.
940	First	E3	E2	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim(s). weak or insufficient legally no action taken.
941	First	E3	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Company Grade NJP, reduced to E2, forfeit \$352, and 14 days extra duty.
942	First	E5	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim(s). Subject found guilty at GCM, confinement for 7 months, and BCD.
943	First	E4	E5	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: Y; Victim(s): 1. Subject was found Guilty of lesser offenses (Indecent Acts, Making False Statement) in Field Grade NJP, Reduced to E4, forfeit \$2,124, and 45 days extra duty/restriction.
	First	E6		M		Forcible Sodomy	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: Y; Victim(s): 1. Subject was found Guilty of lesser offenses (Consensual Sodomy and Making False Statement) in Field Grade NJP, Reduced to E5, forfeit \$2,692, and 45 days extra duty/restriction.
	First	E5		M		Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: Y; Victim(s): 1. Subject was found Guilty (Rape, Making False Statement) in Field Grade NJP, Reduced to E4, forfeit \$2,124, and 45 days extra duty/restriction.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
944	First	E8	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim(s). Subject found guilty at Field Grade NJP written reprimand in OMPF.
945	First	E5	CIV	M	F	Forcible Sodomy	DoD Action Precluded - victim declined to participate in military justice action	Occurred: OCONUS off-base; alcohol: N; drugs: Y. Where Subject allegedly committed Forcible Sodomy against 1 Victim(s). victim declined to participate in military justice action no action taken.
946	First	E5	E5	M	F	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty of lesser offense (False Statement) in General Courts-Martial, reduced to E1 and confinement for 100 days.
947	First	E2	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Other administrative actions oral reprimand and oral admonition.
948	First	E2	E3	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim(s). Discharge ILO CM Chapter 10 - In Lieu of Court Martial.
949	First	E6	E5	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Contact) in General Courts-Martial, reduced to E4, confinement for 3 months, restriction and extra duty.
950	First	E2	E2	M	F	Rape	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). Administrative Discharge Chapter 14 - Misconduct.
951	First	O3	E2	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at General Officer Imposed NJP forfeit \$1,000, written reprimand in OMPF, and resignation.
952	First	E4	E3	M	M	Forcible Sodomy	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Forcible Sodomy against 2 Victim(s). Charges dismissed by Courts Martial Convening Authority.
953	First	E6	CIV	M	F	Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim(s). Other administrative actions written reprimand in OMPF.
954	First	E6	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Other administrative actions written reprimand in OMPF.
955	First	CIV	E6	M	F	Aggravated Sexual Assault	Civilian or Foreign Authority - not subject to UCMJ	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim(s).
956	First	E2	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at SCM, reduced to E1, and 45 days restriction.
957	First	O2	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Other administrative actions written Reprimand in local file.
958	First	E3	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault and Forcible Sodomy) in Summary Courts-Martial, forfeit \$1,700.
		E3		M		Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: Y; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault and Forcible Sodomy) in Summary Courts-Martial, forfeit \$1,700.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
959	First	CIV	E2	M	F	Aggravated Sexual Assault	DoD Action Precluded - victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim(s). victim declined to participate in military justice action no action taken.
960	First	E5	CIV	M	F	Wrongful Sexual Contact	DoD Action Precluded - Insufficient evidence of any offense	Occurred: CONUS on-base; alcohol: U; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). no action taken no action taken.
961	First	E6	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Other administrative actions written reprimand in local file.
962	First	E4	E4	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: Y; drugs: U; Victim(s): 1. Command SJA found insufficient evidence of Aggravated Sexual Assault. Subject was found Guilty of lesser offense (Adultery) in Field Grade NJP, Reduced to E1, forfeit \$673 and 45 days extra duty.
963	First	E5	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found not guilty at Field Grade NJP no action taken.
964	First	E6	E1	M	F	Abusive Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim(s). Prosecution declined weak or insufficient legally.
965	First	E8	E4	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim(s). Other administrative actions written counseling in local file.
966	First	E4	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in General Courts-Martial, reduced to E1, confinement for 90 days, and BCD.
967	First	E1	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Company Grade NJP, forfeit \$311, and 14 days extra duty/restriction.
968	First	E5	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E4, forfeit \$500, and 45 days extra duty/restriction.
969	First	E5	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in Field Grade NJP, Forfeiture \$2,036, and 45 days extra duty/restriction.
970	First	E2	CIV	M	F	Aggravated Sexual Assault	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim(s). UCMJ RCM 306(c)(1) no action taken.
971	First	E6	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Other administrative actions written reprimand and oral admonition.
972	First	E3	E3	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Company Grade NJP, reduced to E2, forfeit \$352, and 14 days extra duty/restriction.
973	First	E4	E4	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Other administrative actions written reprimand in local file.

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No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
974	First	E4	CIV	M	F	Rape	DoD Action Precluded - victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). victim declined to participate in military justice action no action taken.
975	First	O3	E5	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Field Grade NJP forfeit \$2,500, and written admonition in OMPF.
976	First	E3	E5	M	F	Rape	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS off-base; alcohol: U; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Attempted Rape in Second Degree) in General Courts-Martial, reduced to E1, confinement for 44 months, and BCD.
977	First	E5	E5	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found not guilty at SCM, no action taken.
978	First	E4	E3	M	F	Rape	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). Subject found guilty of lesser offense (Assault) at Field Grade NJP, reduced to E1.
979	First	E6	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim(s). Other administrative actions adverse performance evaluation.
980	First	E7	CIV	M	F	Wrongful Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Charges dismissed when not filed by San Antonio, TX police, no further action contemplated.
981	First	E4	CIV	M	F	Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 2 Victim(s). UCMJ RCM 306(c)(1) no action taken.
982	First	E5	E4	F	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Other administrative actions written Counseling in local file.
983	First	E6	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Other administrative actions written reprimand in OMPF.
984	First	E2	FRCiv	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 3 Victim(s). Subject found guilty of lesser offense at Field Grade NJP reduced to E1, forfeit \$1,244 and 45 days restriction and extra duty.
985	First	E4	CIV	M	F	Rape	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). Administrative Discharge Chapter 14 - Misconduct, and Subject to be prosecuted by civilian authorities.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
986	First	E4	E3	M	F	Rape	DoD Action Precluded - Insufficient evidence of any offense	Occurred: OCONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). weak or insufficient legally no action taken.
987	First	E2	E3	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Administrative Discharge Chapter 14 - Misconduct.
988	First	E4	CIV	M	F	Forcible Sodomy	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: N; drugs: N. Where Subject allegedly committed Forcible Sodomy against 1 Victim(s). Disposition on all charges was Nolle Prosequi received admin separation from Army based on civilian court appearance.
989	First	E5	E4	M	M	Forcible Sodomy	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Forcible Sodomy against 1 Victim(s). Other administrative actions adverse flag and delay in promotion.
990	First	E6	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E5, and relief for cause NCOER
991	First	UNK	E5	U	F	Rape	Subject unknown	Occurred: OCONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Rape against 1 Victim(s). Investigation failed to identify Subject no action taken.
992	First	E1	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Field Grade NJP forfeit \$1,346, and 45 days extra duty/restriction.
993	First	E4	E4	M	F	Rape	Evidence Supports Command Action - Other Administrative Action	Occurred: OCONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Rape against 1 Victim(s). Other administrative actions received written Counseling in local file.
994	First	E3	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim(s). Subject found not guilty at Field Grade NJP, no action taken. Command found insufficient evidence of sexual assault or inappropriate relationship.
995	First	E4	CIV	M	F	Rape	DoD Action Precluded - victim declined to participate in military justice action	Occurred: CONUS on-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim(s). victim declined to participate in military justice action no action taken.
996	First	E4	E1	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E2, forfeit \$1,000, and 14 days extra duty/restriction.
997	First	E3	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Courts-Martial Preferred	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim(s). Subject found not guilty at GCM, on 28 Oct 08 no action taken.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
998	First	E3	E3	M	F	Rape	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: Y; drugs: U. Where Subject allegedly committed Rape against 1 Victim(s). Washington authorities would not pursue after Subject stated acts were consensual no action taken.
999	First	E4	CIV	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Assault against 1 Victim(s). Civilian authorities declined to prosecute due to lack of evidence, however, Subject received other administrative action, oral counseling.
1000	First	E4	CIV	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Company Grade NJP, extra duty and restriction for 14 days.
1001	First	E2	E1	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty of lesser offense (Making a False Statement) in Field Grade NJP, Reduced to E1, forfeit \$1,946, extra duty/restriction for 45 days, and Chapter 14 - Misconduct Discharge.
1002	First	E4	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Field Grade NJP reduced to E1, forfeit \$1,300, and 45 days extra duty/restriction.
1003	First	E2	E2	M	F	Aggravated Sexual Assault	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: Y; drugs: U; Victim(s): 1. Subject was found Guilty (Aggravated Sexual Assault) in Company Grade NJP, Reduced to E1, and forfeit \$314.
1004	First	E5	CIV	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS off-base; alcohol: N; drugs: N; Victim(s): 1. Subject was found Guilty (Wrongful Sexual Contact) in Field Grade NJP, Reduced to E4, and 45 days extra duty/restriction.
1005	First	E5	CIV	M	F	Abusive Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS on-base; alcohol: N; drugs: U. Where Subject allegedly committed Abusive Sexual Contact against 1 Victim(s). Other administrative actions oral counseling.
1006	First	E3	E3	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Administrative Discharge	Occurred: CONUS on-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Administrative Discharge Soldier discharged for reasons unrelated to this offense.
1007	First	E2	E1	M	F	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Company Grade NJP, reduced to E1, forfeit \$314, and 14 days extra duty/restriction.
1008	First	E6	E5	M	F	Aggravated Sexual Contact	Evidence Supports Command Action - Other Administrative Action	Occurred: CONUS off-base; alcohol: Y; drugs: N. Where Subject allegedly committed Aggravated Sexual Contact against 1 Victim(s). Command found insufficient evidence of sexual assault, however, Subject removed from all appointed duties as section Sergeant and as BN UVA, access to Emilpo revoked, and civilian job suspension for 25 days.

FY09 Sexual Assault Synopses Report for Sexual Assaults in the Army

No.	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
1009	First	E2	E2	M	M	Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Summarized NJP, extra duty and restriction for 2 days.
	First	E1		M		Wrongful Sexual Contact	Evidence Supports Command Action - Non-judicial Punishment	Occurred: CONUS on-base; alcohol: N; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Subject found guilty at Summarized NJP, extra duty and restriction for 2 days.
1010	First	E5	CIV	M	F	Wrongful Sexual Contact	Commander declined action pursuant to UCMJ RCM 306(c)(1)	Occurred: CONUS on-base; alcohol: Y; drugs: N. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). UCMJ RCM 306(c)(1) without explanation.
1011	First	W1	FRCiv	M	M	Wrongful Sexual Contact	Civilian or Foreign Authority - subject to UCMJ	Occurred: CONUS off-base; alcohol: U; drugs: U. Where Subject allegedly committed Wrongful Sexual Contact against 1 Victim(s). Court's response pending.



**OFFICE OF THE SECRETARY OF DEFENSE
SEXUAL ASSAULT PREVENTION
AND RESPONSE OFFICE**

TAB B



THE SECRETARY OF THE NAVY
WASHINGTON, D.C. 20350-1000

January 20, 2010

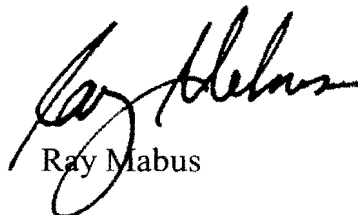
MEMORANDUM FOR DEPUTY UNDER SECRETARY OF DEFENSE (PLANS)

SUBJECT: Department of the Navy Submissions to the Secretary of Defense's Report to Congress on Sexual Assaults Involving Members of the Armed Forces for Fiscal Year (FY) 2009

Per your request, the attached materials (TAB A) are provided as Fiscal Year 2009 input from the Department of the Navy for the annual Report to Congress on Sexual Assaults Involving Members of the Armed Forces, which is mandated by Public Law 108-375, Section 577(f)(4), as expanded by Public Laws 109-63 and 109-364.

I place a high priority on combating all forms of sexual assault throughout the Department of the Navy, on developing effective strategies to reduce the incidence of sexual assaults, and on building useful data to support program development. I am concerned that summary incidence data based on "case" definitions, as reported here, may inadvertently mask insights about the actual number of individual victims. In response, I have directed that future Department of the Navy submissions report summary incidence data calculated, instead, from the number of individual victims. In the future, this change may artificially increase our reported incidences of sexual assault in comparison to prior submissions, including this one.

Should you have questions or need additional information, my point of contact for this submission is Ms. Jill Loftus, who may be reached by telephone at (703) 697-2180 or by e-mail at jill.loftus@navy.mil.



Ray Mabus

Attachments:

- TAB A - DON Fiscal Year (FY) 2009 Sexual Assault Prevention and Response (SAPR) Program Review Data Call
- TAB A.1 - Fiscal Year (FY) 2009 Sexual Assault Statistical Report Data
- TAB A.2 - Navy FY09 Unrestricted Reports of Sexual Assaults
- TAB A.3 - Marine Corps FY09 Unrestricted Reports of Sexual Assaults
- TAB A.4 - Fiscal Year (FY) 2009 Sexual Assault Synopses Report Data (USN)
- TAB A.5 - Fiscal Year (FY) 2009 Sexual Assault Synopses Report Data (USMC)

Fiscal Year (FY) 2009 Sexual Assault Prevention and Response (SAPR) Program Review Data Call for Sexual Assaults in the Military

Part 1. DEPARTMENT OF THE NAVY (DON)

Executive Summary

During 2009, the Department of the Navy (DON) and its two component Military Services – the U.S. Navy (USN) and the U.S. Marine Corps (USMC) – each undertook substantial self-assessments and new initiatives with regard to preventing sexual assaults and supporting sexual assault survivors. The service-specific descriptions that follow in this appendix are best understood in the context of simultaneous Secretariat activity.

In March 2009, the Secretary of the Navy (SECNAV) directed the Naval Inspector General (NAVINSGEN) to conduct an update of its earlier 2005 study on sexual assaults in the Navy, and he directed the Commandant of the Marine Corps (CMC) to follow the same methodology for a study of sexual assaults in his service. In brief summary, that effort found (1) virtually no change in the incidence of sexual assaults against female Sailors since 2004, (2) similar risks of sexual assault for Sailors and Marines in 2009, (3) a significant number of male sexual assault victims, (4) no improvement in sexual assault case data collection, and (5) wide variations in the effectiveness of field-level sexual assault prevention and awareness training – all despite substantial resource and manpower investments that had indeed improved the support of sexual assault survivors.

Before these results were even finalized, the new Secretary emphasized his own high priority on combating sexual assaults throughout the Department. He hosted the first “DON Sexual Assault Prevention Summit” in September, which brought senior military and civilian DON leaders together to interact with recognized experts in the field and learn more about developing an effective, comprehensive prevention strategy. Immediately following, the Navy and Marine Corps each conducted service-specific Operational Planning Team (OPT) sessions to jump start their respective development of future prevention efforts. Simultaneously, SECNAV established a new DON Sexual Assault Prevention and Response Office (DON SAPRO), which reports directly to him as his primary agent for developing Secretariat-level policy and for monitoring, coordinating, and assessing DON-wide efforts to prevent sexual assaults and to support survivors of sexual assault. Six weeks later, SECNAV convened the DON Sexual Assault Advisory Council (DON-SAAC) to review activities since the Summit with the Chief of Naval Operations (CNO), the CMC, and the Director, DON-SAPRO.

Five years of DON effort has yielded progress in victim support, but no discernable impact on the incidence of sexual assault. In retrospect, it seems clear that victim support is important and necessary, but it is not, in itself, an effective prevention strategy. Senior leaders at DON and both Services are committed to combating sexual assault. At this point, unfortunately, we cannot objectively demonstrate that we know how to best protect Sailors and Marines from sexual assault. Achieving that goal will ultimately equate to measurably reducing the incidence

of sexual assaults involving Sailors and Marines, which will require a sustained and substantial effort across the Department; effective collaboration across Service lines; a candid and scientific approach to collecting and integrating and troubleshooting available sources of data and other insight; and objective reviews of the effectiveness of new prevention efforts as they are implemented. Those efforts are now underway.

Fiscal Year (FY) 2009 Sexual Assault Prevention and Response (SAPR) Program Review Data Call for Sexual Assaults in the Military

Part 2. UNITED STATES NAVY

Executive Summary

During 2009, the Chief of Naval Operations (CNO) emphasized the key importance of combating sexual assault Navy-wide, and assigned the Chief of Naval Personnel (CNP) as the Executive Agent for all Sexual Assault Prevention and Response (SAPR) stakeholders and activities. The Navy also developed an Executive Charter, released two Naval messages, and helped launch a Naval Chief of Information (CHINFO) Communication Strategy.

Commander, Navy Installations Command

The Navy SAPR program was renamed from the former Sexual Assault Victim Intervention or SAVI program. The SAPR program provides a standardized, victim-sensitive system to prevent and respond to sexual assaults.

FY09 major focus and initiatives included:

- Worked closely with the Secretary of the Navy to develop a DON Sexual Assault Prevention Summit for senior leaders of the Navy, Marine Corps, and Secretariat
- Immediately following, organized a Navy Working Group, to develop a comprehensive Navy prevention strategy.
- Participated in OSD SAPR oversight, strategic planning, and database development
- Presented testimony before the House Armed Services Committee's (HASC) Military Personnel Subcommittee
- Increased SAPR staffing at CNIC Headquarters
- Co-chaired two DoD Sexual Assault Advisory Council (SAAC) subcommittees
- Facilitated on-line trainings and attendance at a national conference for Navy Sexual Assault Response Coordinators (SARCs)
- Representation on the Navy SAS team
- Participated in OSD SAPRO Policy Assistance Team (PAT) visits
- Distributed a new interactive Commander's Toolkit for Commanding Officers
- Trained Senior Shore Station Leaders on their SAPR responsibilities
- Developed a video on sexual assault reporting options
- Provided expert advice to new annual SAPR and pre-deployment training under development by Naval Education and Training Command (NETC)

Program enhancements will continue in FY10 with the implementation of the SAVI Case Management System (CMS), a database created to manage cases, a web-based "New SARC"

Training, and continued enhancements that support Commands in preventing sexual assault and ensuring quality victim support services.

Judge Advocate General

During FY09, the Navy Judge Advocate General (JAG) Corps worked actively to improve the quality overall of military justice and specifically with regard to sexual assault litigation. They continued to expand the Military Justice Litigation Career Track, which enhances the ability to litigate all types of criminal cases, including sexual assault cases. Other efforts were specifically focused on sexual assault litigation. Two nationally recognized experts on sexual assault litigation were hired to provide field-level legal training and case consultation, along with policy support for the Navy SAPR program. The Naval Justice School (NJS) created two new courses on litigating sexual assault cases and continued existing courses required by DOD Instruction 6495.02. The NJS trained over 200 Judge Advocates. Navy JAG also partnered with other Service JAGs to develop an interactive DVD on sexual assault litigation.

Naval Criminal Investigative Service

The Naval Criminal Investigative Service (NCIS) is the primary DON agency for investigating sexual assaults involving Navy and Marine Corps personnel. NCIS works with other DON and DoD entities, including OJAG and service-level SAPR programs. In addition, NCIS strives to protect Sailors and Marines by working to prevent sexual assaults and other crimes within DON.

1. Program Overview

1.1. Please provide a general overview of your Service's SAPR program.

- **Authorizing Service regulations and/or instructions and dates of publication**

1. OPNAVINST 1752.1B, "Sexual Assault Victim Intervention (SAVI) Program," 29 Dec 06. Navy's comprehensive policy of sexual assault prevention and response. Encompassed DoD requirements in DODD 6495.01, and DODI 6495.02. (CH-1 of both that were published in 2008 will be incorporated in a revision in 2010)
2. OPNAVINST 3100.6H, "Special Incident Reporting Procedures, 03 Feb 06." Clarifies command sexual assault reporting requirements.
3. SECNAVINST 1752.4A, "Sexual Assault Prevention and Response," 01 Dec 05. Provides current guidance for the establishment of a sexual assault prevention/victim assistance program within the Department of the Navy (DON).

Bureau of Medicine and Surgery (BUMED)

Medical facilities comply with program guidance contained in DODD 6495.01, DODI 6495.02, SECNAVINST 1752.4A, SECNAVINST 1752.3B, OPNAVINST 1752.1Bm, DOD 6025.18-R, BUMEDINST 6310.11, and derivative local guidance.

Chaplain

While the SAPR program uses the terms restricted and unrestricted reporting, there are also reports made to clergy that are confidential communications (SECNAVINST 1730.9 Confidential Communications to Chaplains). These may become restricted or unrestricted reports of sexual assault.

Commander, Navy Installations Command (CNIC)

- Policy Implementation Directives:

1. SAVI-001, “Sexual Assault Response Coordinator (SARC) Position Guidance,” 10 May 05, Commander Navy Installations, Fleet and Family Support Program
2. SAVI-003, “Navy Confidentiality Policy for Victim’s of Sexual Assault and Collection of Forensic Evidence,” 30 Nov 05, Commander Navy Installations, Fleet and Family Support Program

- **Definitions of terms or acronyms used in your program**

SAPR- Sexual Assault Prevention and Response program encompasses the former SAVI program and focuses efforts on prevention, response, and accountability. The name change in 2009 aligns the Navy with DoD and the newly established DON SAPRO. The Sexual Assault Victim Intervention program was established in 1994 for the purpose of providing consistent, standardized response to sexual assault through sexual assault awareness and prevention education, victim advocacy, and data collection.

CNIC SAPR HQ- Commander, Navy Installations Command (CNIC) SAPR Headquarters staff consists of the Program Manager & action officers. This office is responsible for managing, implementing, and overseeing the program by promulgating guidance to commands for management and implementation of the Navy SAPR program ashore and afloat, and assessing program effectiveness Navy-wide.

SARC- The Sexual Assault Response Coordinator is responsible for coordinating response efforts for victims of sexual assault. The SARC is the single installation POC for sexual assault victim response and case management from initial report to the final disposition or until victim no longer needs services. The SARC trains and supervises Victim Advocates, and key SAPR personnel. They are also consultants to every Commander at their installation.

VICTIM ADVOCATE- The SAPR Victim Advocate is a trained volunteer who provides support and guidance for victims of sexual assault. He/she provides a 24/7 response capability ashore and afloat and serves on watch bills at every Navy installation worldwide.

SAPR Command POC- The SAPR Command POC in each command provides information about the SAVI program, local civilian and military resources, and ensures that all sexual assault prevention and awareness training requirements are met.

DCC- The Data Collection Coordinator (DCC) is responsible for reporting sexual assaults via required Situational Reports (SITREPs).

SAPR Command Liaison- The SAPR Command Liaison is the single point of contact between a victim and the command executive level following an allegation of sexual assault. The Command Liaison has direct access to the Commander and is responsible for promoting responsive command management of the sexual assault and represents command at the monthly installation Sexual Assault Case Management Group (SACMG).

SACMG- The Case Management Group meets monthly to review all open unrestricted cases of sexual assault with key SAPR responders. The SACMG is chaired by the Sexual Assault Response Coordinator (SARC). The SACMG also provides system overview and coordination for effective response to victims.

SACC- The purpose of a Sexual Assault Coordinating Committee is to bring together commands and key stakeholders to address and solve systemic command-level issues that affect incidence and reporting rates for sexual assault.

- **General organizational structure of your Service SAPR program and personnel (e.g. installation Sexual Assault Response Coordinator (SARC) and Victim Advocate (VA) structure, mid-level program management [if any], and program management)**

Navy SAPR is a command program, which consists of multiple key stake holders and first responders. The CNIC role includes the following hierarchal structure:

CNIC HQ

CNIC HQ Fleet and Family Readiness Program (N91)

Fleet and Family Support Program (N911)

Sexual Assault Prevention and Response (SAPR), formerly Sexual Assault Victim Intervention (SAVI) Program

Regional Fleet and Family Support Program (FFSP) Directors

Regional Counseling and Advocacy Program (CAP) Managers

Installation FFSP Directors

Installation CAP Supervisors

Installation and/or Regional SARCs

Victim Advocates (SARCs have oversight for and train command Victim Advocates)

Each command, under the CO includes the following:

Victim Advocates

SAPR Command Points of Contact (POCs)

SAPR Command Liaisons

Data Collection Coordinators

- **As well as a brief description of how this structure changes in deployed environments**

The structure of Navy is consistent both afloat and ashore. Victim Advocates deploy with commands, and they are supported by the installation SARC (reach back support). The SARC is responsible for training and supervising the Victim Advocates and other Command SAPR personnel. Victims are supported by trained Victim Advocates and the installation SARC. If a Sailor is serving in a duty assignment as an Individual Augmentee (IA), or assigned to a non-Navy installation they are supported by the lead Military Service (e.g. Iraq, Marine Base, etc.).

- **Other personnel involved and their roles in your Service's SAPR Program**

The Navy's SAPR program provides prevention and awareness education to all Sailors and victim advocacy support to promote a sensitive, coordinated, and effective management of sexual assault cases. Commanding officers and installation commanders have the following responsibilities:

- Provide the safest possible physical and emotional environment for Sailors. All leaders should establish a command climate of mutual respect and trust that embraces diversity and values all contributions
- Utilize available SAPR resources
- Maintain zero tolerance for sexual assault by holding offenders accountable, ensuring victim protection and safety, and provide a consistent message to report sexual assaults that reduces stigma
- Prepare the program for success by appointing key SAPR positions within the command:
 - SARC for each installation
 - Victim Advocates
 - Command Liaison
 - SAVI/SAPR Point of Contact
 - Data Collection Coordinator
- Provide 24/7 response capability for sexual assaults through trained Victim Advocates

Judge Advocate General (JAG)

JA- Judge Advocate

JAG- Judge Advocate General

MJLCT- Military Justice Litigation Career Track

NLSO- Naval Legal Service Office (defense counsel)

NKO- Navy Knowledge Online

NJS- Naval Justice School

OJAG- Office of the Judge Advocate General

RLSO- Region Legal Service Office (trial counsel*)

SJA- Staff Judge Advocate

STC- Senior Trial Counsel*

* Trial Counsel-means prosecutor

Naval Criminal Investigative Service (NCIS)

Under the authority of the Secretary of the Navy, the Naval Criminal Investigative Service (NCIS) has primary investigative jurisdiction within the DON for the investigation and resolution of alleged, suspected, or actual major criminal offenses, including sexual assaults (SECNAVINST 5430.107 of 28Dec05). All unrestricted reports of sexual assault, punishable by more than one year confinement are investigated by NCIS. Optimally, sexual assault investigations are worked by agents assigned to the Family and Sexual Violence (F&SV) program. Many sexual assaults are worked by agents not assigned to the F&SV; however, all NCIS agents receive initial and periodic training in conducting adult sexual assault investigations.

Definitions:

NCIS- Naval Criminal Investigative Service
F&SV- Family and Sexual Violence
FAP- Family Advocacy Program
SAPRO- Sexual Assault Prevention and Response Office
CRP- Crime Reduction Program
FLETC- Federal Law Enforcement Training Center
MTF- Military Treatment Facility
SANE- Sexual Assault Nurse Examiner
SAE- Sexual Assault Evidence (Collection Kit)

- NCIS presently has 51 billets assigned exclusively to the F&SV Program. The F&SV agents are dedicated to working crimes pertaining to violations of UCMJ Articles 120, 125, and 134.
- The number of F&SV agents varies per location, based on need/operational activity.
- There is one F&SV program manager at NCIS HQ, who monitors the program, reviews all new investigations, coordinates F&SV training, and works closely with FAP, the USN/USMC SAPR program, and OJAG.
- NCIS has one Division Chief and one Deputy Assistant Director who oversees the entire F&SV program.
- Combat areas of interest: NCIS has agents assigned to the Middle East Field Office in Bahrain, which includes offices in Dubai and Kuwait. NCIS also maintains an office in Iraq, Afghanistan and Djibouti. At any given time, NCIS can have 40 or more agents deployed to various combat zones. Special agents assigned to the Combat Areas of Interest are trained in handling sexual assaults and respond in as timely a manner as prudent, based upon the operational climate of the area. Some deployed agents may be F&SV dedicated agents who volunteered for overseas deployments.
- Other persons involved in SAPR program and their roles: NCIS has several analysts who retrieve, review and annotate sexual assault data not only for the Annual Report to Congress but for numerous other data calls throughout the fiscal year.

2. Prevention Initiatives

2.1. Please describe the policies, procedures, and initiatives implemented or advanced during FY09 to prevent sexual assault, including but not limited to:

2.1.1. Efforts by your Service to promote a culture of prevention

Chaplain

Chaplains advise commands on moral and ethical issues. Chaplains serve on sexual assault case management groups. A representative from Chief of Chaplains Office serves on SAPR Cross Functional Team (CFT). CNIC Chaplain and Deputy Chief of Chaplains attended DON Sexual Assault Prevention Summit in September. Chaplains provide spiritual and pastoral care to victims of sexual assault and their families as well as to those accused of sexual assault, and their families

Commander, Navy Installations Command (CNIC)

The development and implementation of the Department of the Navy Sexual Assault Prevention Summit was a major initiative. Initially planned for Navy only, an agenda was developed and civilian Subject Matter Experts were selected and hired to focus on prevention, research, evaluation and the development of a DON Prevention Strategy.

Following the Summit, a Navy Working Group with key stakeholders developed the new action steps focused on prevention and subsequently became a weekly Cross Functional Team chaired by senior Navy leadership.

The CNIC SAPR goal in FY09 was to maintain a consistent focus on prevention by providing frequent interactive training in a variety of modalities to include Bystander Intervention, marketing the program, and being visible Navy-wide to military and civilian organizations and events. Specific events and initiatives included:

- SAPR training at new personnel indoctrinations and orientations
- SAPR training at intercultural relations briefs (OCONUS), on the deck plate, leadership trainings, and collaborations with local civilian programs
- “Sex Signals,” a ninety minute, two-person play that incorporates education, improvisational comedy and audience interaction that addresses dating, sex, social pressures, power inequity and more; and how all these situations can lead to sexual assault
- Installation presentations of “Open Window,” a movie that depicts the effects of sexual assault on the family and friends of victims. Presented to the SARCs by the producer and provided to SARCs for use Navy-wide
- Dr. Dorothy Edwards’ (University of Kentucky) “Green Dot Strategy Campaign, introduced to Navy SARCs at the National Sexual Assault Response Team Conference, was incorporated into SAPR annual training as a Bystander Intervention model
- Sexual Assault Awareness Month(SAAM) 3K/5K Fun Walk/Runs and multiple events
- AFN Television Public Service Announcements on ships and OCONUS

- SARC participation and training at Naval Reserve Command Family Days
- SARC participation at the USMC Reserve Center Welcome Home Celebration for returning Individual Augmentee (IA) service members
- Incorporating SAPR training with the local District Attorney’s (DA) Office; subsequently being invited by the DA to attend a rape trial at the county courthouse

Naval Service Training Command (NSTC)

SAPR Command Liaison posted flyers and business cards on all bulletin boards throughout the Command. In addition, Sexual Assault awareness emails were sent out monthly. Command participation during Sexual Assault Awareness Month was encouraged. All NROTC Units were sent copies of the updated “Commander’s Checklists.” SAPR hotline numbers were posted throughout the Command.

Naval Criminal Investigative Service (NCIS)

The primary role of NCIS is investigatory, but NCIS conducted sexual assault prevention briefs for the Commands worldwide. In FY09 NCIS revised the sexual assault prevention briefing program to include information pertaining to bystander intervention.

2.1.2. Education and training initiatives

BUMED

All efforts fall within DON and SARC initiatives. Navy Medical Treatment Facilities (MTF) routinely provided education at Command Orientation for new staff. This training was augmented with annual GMT provided by the installation SARC or via Navy Knowledge Online (NKO).

Chaplain

Chaplains receive pastoral and spiritual counseling specific initial and periodic sexual assault prevention and response (SAPR) training to include OPNAVINST 5800.7A (Victim and Witness Assistance Program), OPNAVINST 1752.1B (Sexual Assault Victim Intervention (SAVI) Program), DoDI 6495 (E6 First Responder Training Requirements), SECNAVINST 1730.7B, (Religious Ministry Support within the DoN), and SECNAVINST 1730.9 (Confidential Communications to Chaplains).

Commander, Navy Installations Command (CNIC)

SARCs trained commands by conducting required annual General Military Training (GMT), provided initial and refresher training for key SAPR personnel, and trained numerous civilian agencies in the surrounding communities. SARCs collaborated with Housing, Morale Welfare and Recreation (MWR), Ombudsman, Drug and Alcohol Prevention Advisors (DAPA), and other military organizations at installations. Highlights during FY09 included:

- Victimology training for staff at Naval Hospital Corps School
- Specialized training and focus groups for the Ceremonial Guard in Washington DC, a large tenant command predominately staffed by young single Sailors
- Presentation at the Ft. Meade Women's Symposium
- Interactive training addressing the Intersection of Sexual Assault and Alcohol for leadership with three separate groups of trainees: E6-7, E7-9, and O5-6
- Training for Command Ombudsman regarding their role and responsibilities for supporting victims of sexual assault, and reporting protocols
- Training conducted using role plays focused on preventing high risk behaviors associated with sexual assault incidents; efforts to increase reporting by victims of sexual assault; bystander intervention tools; and the effects of alcohol
- Dating Violence Prevention initiatives and training
- Training mobilized Reservists, Individual Augmentees (IAs), and active duty personnel prior to deployment
- Training for the Naval Justice School, Officer Training Command, Naval Academy Prep School, Senior Enlisted Academy and Naval War College
- Training for Submarine School Indoctrination and Basic Enlisted Submarine School
- Training support to Navy Reserve installations
- Training webinar for all New York State (NYS) Rape Crisis Agencies, NYS Women's Legislative Caucus, and for the Capital District Women's Bar Association- Legal Project
- Partnership with the Naval Mobilization and Processing Site to provide training to Sailors prior to deployments

Judge Advocate General (JAG)

SAPRO policy training is provided annually to all Judge Advocates (JAs) by local installation Sexual Assault Regional Coordinators. Additionally, all Navy JAG Corps personnel are required to complete annual General Military Training with the Navy Knowledge Online course "Introduction to the Navy's Sexual Conduct Policy."

Naval Service Training Command (NSTC)

NSTC conducts semi-annual training with the Regional SARC. Command SAPR Liaison attends monthly refresher training and case reviews. Post Restricted and Unrestricted reporting procedures in all commands. Command SAPR Liaison sent monthly Sexual Assault awareness emails.

Naval Criminal Investigative Service (NCIS)

In FY09, NCIS implemented a collaborative Crime Reduction Program (CRP) to proactively fight crime within the military community. NCIS works with the Judge Advocate General (JAG), Public Affairs, Family Advocacy Program (FAP), Chaplain Corps, and other Department of Navy (DON) entities. NCIS has facilitated a cross-cutting effort to help military communities reduce crime. Quarterly campaigns focus on a specific criminal threat and provide education and awareness relative to the threat. The first campaign in FY10 is focused on sexual assault prevention. NCIS revised and updated in-service training for NCIS F&SV agents. NCIS

revised and enhanced F&SV advanced training held at the Federal Law Enforcement Center (FLETC). This training was provided to 19 F&SV agents in September 2009.

2.1.3. Communications, social marketing, and media initiatives

Commander, Navy Installations Command (CNIC)

Every installation was provided standard Sexual Assault Awareness Month (SAAM) materials including the “Our Strength is for Defending” poster series developed for the Navy by Men Can Stop Rape, Inc. and distributed printed materials at multiple locations/dates throughout the year. Installation Commanding Officers signed proclamations. Many installations utilized Facebook, email, and other web-based social marketing programs for outreach. SAAM events and initiatives were observed Navy-wide and highlights included:

- Fun Walks; National Night Out, Personal Readiness Summits, awareness posters, specialized presentations with speakers such as Antoine Fisher and Sex Signals, newspaper articles, website postings, Armed Forces Network (AFN) news reports, and the Clothesline Project were held
- An outreach table was set up during galley meal times to increase awareness of sexual violence in the community. The statement “To end sexual violence in my community, I WILL...” was posted as the message and 428 service members were exposed to ideas of how they could help prevent sexual assault in their community
- The “Silent No More....” silhouette campaign
- The Exceptional SARC Award
- Specialized programs such as “Shine the Light on Sexual Assault,” a Survivor Art Display, training on healthy relationships, and a Navy SARC presented at the “Darkness to Light” annual forum, a group of professionals and survivors of sexual assault/abuse
- Victim Advocate Chief McKennie testified for HASC Hearing on Victim Care in January; due to her outstanding efforts she was named San Diego SAVI Victim Advocate of the year

Naval Criminal Investigative Service (NCIS)

The Crime Reduction Program (CRP) joins partners and collaboratively addresses crime reduction from multiple angles - a single message, designed to educate and increase awareness, providing information and resources from all DON organizations. The strength of the CRP lies in its partnerships with other DON entities. The CRP works on the premise of “team work”, working in coordination with other DON and DoD entities. The CRP utilizes meetings, rallies, speeches, and briefs, to name a few, in its effort to reduce and publicize the prevention of criminal sexual activity.

2.1.4. Work done to implement or support the Department’s Sexual Assault Prevention Strategy

Commander, Navy Installations Command (CNIC)

The SAPR program is aligned with the DoD Sexual Assault Prevention Strategy which follows the six Center for Disease Control (CDC) Spectrum of Prevention levels: 1) policy and legislation; 2) changing organizational practices; 3) fostering coalitions and networks; 4) training service providers; 5) promoting community education; and 6) strengthen individual knowledge, attitudes, beliefs, behaviors and skills.

Efforts were re-focused to strengthen prevention efforts through trainings, awareness events, distribution of posters, Public Service Announcements, incorporating Bystander Intervention concepts into training, and by the development and implementation of the Commander’s Toolkit encouraging ongoing collaboration between SARCs, Commanders, and Senior Enlisted Leaders to promote a culture of prevention and zero tolerance of sexual assault.

The Secretary of the Navy hosted the first “DON Sexual Assault Prevention Summit” in September, which brought senior military and civilian DON leaders together to interact with recognized experts in the field to learn more about the components of an effective prevention strategy.

Navy initiatives aligned with DoD Sexual Assault Prevention Strategy:

- The recent decoupling of SARCs in both the San Diego and Hampton Roads areas has improved their relationships with Commands at their installations
- Strong local collaboration between civilian and military law enforcement, prosecutors, civilian advocates, and department of corrections through monthly Special Assault Unit meetings were held to debrief cases
- Strong connections between SARCs, alcohol treatment personnel, and Command Drug and Alcohol Prevention staff (DAPAs) were built to pursue cross-educational opportunities and train commands together
- Japan continued a tradition of producing an annual drama presentation on sexual assault awareness and education, entitled SCREAM, for all hands, during Sexual Assault Awareness Month. To enhance awareness and education in FY2009, Armed Forces Network also broadcast a segment on the SCREAM project throughout Japan
- A “Walk to Remember” was held - each person walking held a candle in honor of someone they knew who had been sexually assaulted
- Focus groups and discussions were held with students and Sailors about healthy relationships and risk-reduction tips incorporating victimology and an understanding of offenders. The training included recognizing and understanding characteristics of perpetrators, qualities offenders look for in victims, as well as common victim behavior before and after the assault (Rape Trauma Syndrome)
- CNIC and a local SARC were engaged in OSD SAPRO’s SAAM 2009 Planning Committee and assisted in developing DoD’s “My Strength is for Defending” campaign and a Congressional Reception focusing on DoD and the Services SAPR programs

- Participation and planning of Crime Victim Rights Ceremonies with inclusion of Navy, Army, Air Force and Marine Corps
- Increased command support in recruitment of trained Victim Advocates. On one installation there were 19 VA's at the beginning of FY09 which increased to 43 VA's; and for the submarines trained VA's went from none to 10 by the end of the fiscal year
- SARCs developed and incorporated Bystander Intervention training skills into the annual GMT presentations for units to address the responsibility that all service members have in preventing sexual assault
- SAPR Education programs incorporated men as part of the solution in changing perspectives and preventing sexual violence. Positive messaging was used in order to make it difficult for audiences to react with the "not applicable to me" attitude
- Partnered with the Naval Justice School
- Provided training to the local rape crisis centers to educate civilian advocates who may be the first responders to military victims, and participated in local military/civilian Sexual Assault Response Teams (SARTs)

Judge Advocate General (JAG)

The Department of the Navy held a two-day executive summit on sexual assault in which the Judge Advocate General and Deputy Judge Advocate General participated. Following the summit, a working group was established to continue the initiatives developed at the Summit with an OJAG representative. In addition, an OJAG attorney worked with the DON SAPR working group on all efforts related to prevention and response.

NCIS

Throughout FY09 NCIS personnel have been involved in the DON SAPR working group. Recently, several NCIS special agents and analysts joined the newly formed Navy Cross Functional Team. Both working groups are involved in developing and implementing sexual assault prevention strategies. The NCIS HQ F&SV program has updated and enhanced the NCIS sexual assault prevention brief for use by special agents and investigators in the field. The new briefing program now addresses bystander intervention.

2.1.5. Subject Matter Experts (SME's) consulted and involved (at a Service level)

Commander, Navy Installations Command (CNIC)

All Navy installations, to include local SMEs (Staff Judge Advocate, NCIS, SANE nurse, mental health professionals) and local civilian resources/experts were encouraged to participate in SAPR programs. Eight SMEs from academia, research, and prosecution were contracted to present at the DON Sexual Assault Prevention Summit, including U.S. Naval Academy faculty. These SMEs continue to consult and present to Navy leadership and fleet events.

Examples from various Regions and Installations demonstrate SME engagement:

- Sex Signals visited Europe and Guam

- Honolulu VET Center coordinated services for male victims leaving the Navy. Vet Centers are a community based counseling program of the U.S. Department of Veterans Affairs that provides a broad range of counseling and referral services to eligible veterans and their families
- Memphis Sexual Assault Resource Center (MSARC) Director, Education Director, Victim Advocate Director, Victim Advocates, and SANE staff served as SACMG attendees and trainers and an MOU was established
- Memphis Vet Center Combat Stress Counselors and licensed sexual assault clinical counselors were speakers/trainers at installation SAPR/SAVI events; and provided sexual assault counseling to all military veterans. A MOU is in development
- Ongoing consultation with local community Rape Crisis Centers and state coalitions on state legislation, protection orders, and victim care
- Collaboration with Universities such as the University of New Hampshire, Prevention Innovations (Know Your Power)
- Ongoing consultation with civilian medical centers on state crime victims' compensation applications and clarification of state medical reporting laws in regards to sexual assault
- In one region, SMEs included a psychologist specializing in Military Sexual Trauma, a detective from a local police department who specialized in internet sexual assault cases, an FBI agent who profiled sex offenders, a community organization which provides support to victims of sexual assault, and a facilitator from Virginia Department of Health whom facilitated curriculum from Men Against Rape
- Partnership with NCIS and local Sexual Assault Crime Division on creating a Standard Operating Procedure (SOP) for the handling of Sexual Assault cases in Singapore

Naval Criminal Investigative Service (NCIS)

NCIS has been involved in a lengthy series of investigatory case reviews for approximately four months. The reviews were in coordination with OJAG (USN and USMC) SME's. The case review was conducted for multiple reasons: to review investigatory effort and thoroughness; review prosecutorial decisions; ascertain trends in sexual assaults; and identify best business practices.

2.2. Please describe any plans in place at the conclusion of FY09 for Service actions slated for FY10 related to the prevention of sexual assault

Navy SAPR, to include Naval Education and Training Command, Center for Personal and Professional Development (NETC/CPPD), U.S. Fleet Forces Command, CNIC, and Marine Corps will be piloting Mentors in Violence Prevention (MVP) fleet wide on a carrier, in a school, and in remote locations in FY10. This is an expansion of current Marine Corps MVP "Train the Trainer" Bystander Intervention currently being provided at Staff Non-Commissioned Officer Academies. MVP will be one component of the wide spread training on Bystander Intervention tools Navy-wide.

Sexual Assault prevention is a priority for the Secretary of the Navy. Following the September 2009 Summit, the Chief of Naval Personnel established a weekly Cross Functional Team (CFT) with all key stakeholders to change the culture and enhance the prevention of sexual

assault. The Navy has developed a SAPR Communication Strategy with strong leadership messages in multiple venues (print, video, Facebook, website, and command functions).

Specific installation actions slated for FY10 include:

- NCIS Crime Reduction Program to plan events that promotes awareness and prevention of sexual assault during SAAM 2010
- SAPR Brief for new Base Security Recruits and bi-monthly in-service meetings
- Navy SARCs are scheduled guest speakers at conferences and community events
- SARC meeting with DESRON 31 (Commodore and Command Master Chiefs from 8 ships)
- Coordination with MWR marketing to include training on sexual assault, reporting and bystander intervention for Liberty Call
- SCREAM was identified as a best practice; implementation enterprise-wide is in process with benchmarks and evaluation
- Annual Regional Ombudsman Symposium and other Ombudsman training emphasize sexual assault prevention
- Collaboration between MWR, SATO travel and SAPR Victim Advocates is on-going to initiate healthy social activities/trips as alternatives to drinking for the single sailor. Additional proactive measures include providing after hours staffing in the barracks
- Expanding SAPR training to deploying units and will incorporate SAPR into shipboard Return and Reunion curriculum
- A short video clip is being filmed addressing sailors and emphasizing the importance of active bystander intervention. This clip, which underscores the severity of the crime of sexual assault, warns that perpetrators will be punished accordingly, and will be shown at the start of all Sexual Assault Prevention briefs as soon as it is completed
- Offering self defense classes taught by professionals with the goal of empowering and strengthening the confidence of sailors, particularly 18-25 year old females, the most vulnerable population
- Increasing the number of SARC positions and moving towards civilianizing the positions
- Prevention and Training: SAPR integration into the Executive Leadership Training and development of 2010 GMT with video scenarios
- Utilizing social networking/new technologies to keep VAs, Commands, and personnel informed and engaged as well as to increase program feedback/evaluation. Fleet and Family Support Program (CNIC HQ) has a Facebook page
- Increased implementation of a Sexual Assault Prevention and Response (SAPR) Coordination Committee (SCC) for the installation to increase leadership involvement in the program and track systemic issues
- Expand SAPR training to smaller Tenant Commands and Reserve Units
- Collaborate with the Family Advocacy Program for combined training

Naval Criminal Investigative Service (NCIS)

- During 1st quarter FY10, the Crime Reduction Program began their sexual assault campaign. This campaign will include briefs for command personnel concerning Alcohol

Facilitated Sexual Assault and Sexual Assault Prevention, with an emphasis on Bystander Intervention.

- NCIS will have various handouts available for command personnel which will cover sexual assault prevention issues.
- Two videos, “Megan’s Story” (USN production) and “Choices,” (USMC production) will be available for NCIS agents to utilize during the campaign.
- Collaborative efforts with other DON and non-DON/DOD entities will be initiated at the installation level.

3. Response Initiatives, Capabilities, and Challenges

3.1. Please describe the policies, procedures, and initiatives implemented or advanced during FY09 to respond to or improve the response to allegations of sexual assault

BUMED

The BUMEDINST 6310.11 was published in June 2009. In FY09 we trained 44 medical providers on the Sexual Assault Forensic Exam.

CNIC

Response initiatives Navy-wide:

- Increased number of MOUs between military treatment facilities and local civilian hospitals
- Collaboration with Command Equal Opportunity representatives for training to increase awareness of the role of alcohol in sexual assault
- Joint service SARCs in Hawaii meet quarterly to share information, lessons learned, prevention strategies, share resources, and to work together on various issues
- One initiative in FY09 was greater inclusiveness with small commands that are stationed in remote locations or sister services that may not be aware of how to access SAPR on a Navy installation. Impact: Greater level of comfort in reporting sexual assaults
- In Sasebo, the MTF provided victim(s) with the nurse/physician’s direct line to schedule appointments instead of having to use the regular appointment desk in order to avoid re-victimization. Additionally, the MTF included laboratory testing for “date rape” drugs as part of their standard sexual assault response protocol
- Coordination with the Chaplain’s office to transport victims
- Coordinated comprehensive plan for response to allegations of sexual assault involving all first responders at Great Lakes which is a major training location
- SARC located a provider for Victim Advocate Response Kits (bag, replacement clothing/foot covering) which will give all Victim Advocates a convenient, appropriate response tool in which they can keep all pertinent forms, non-perishable snack item, water, and replacement clothing close at hand for quick response
- Meet monthly with the local civilian Sexual Assault Response Team (SART) and provided training to approximately 50 civilian SART members on the military response to sexual assault

- Following the mishandling of a Restricted report by ER staff (which caused the report to become unrestricted through no fault of the victim), the SARC met with MTF staff to discuss training options for ER personnel of Restricted vs. Unrestricted reporting, proper victim care and their role as a medical provider vs. command
- Successfully acquired duty cell phones for on-call victim advocates to ensure the option of restricted reporting remains intact by avoiding inadvertent disclosure to quarterdeck personnel
- Practice drills, requested by the CO of Naval Hospital Bremerton, were performed by the SARC. The SARC approached each of the Family Practice clinics and the OB/GYN department, announced that they were performing a drill, and requested assistance as if the SARC were a victim of sexual assault. Each department responded with care and according to policy utilizing the response matrix. The goal is to improve response.
- Feb 09 SAU Protocol: The Kitsap County Prosecutors office, in agreement with all law enforcement agencies in the county, providers to victims of domestic violence, sexual assault, stalking, and child abuse have signed a Special Assault Investigation Protocol. The goals of this protocol are to: ensure the safety of all victims and the public at large; minimize the secondary trauma of all victims and witnesses who are interviewed during the course of an investigation; consistently follow a framework for coordination and communication among all participants and avoidance of conflicts among participants that may hinder the effectiveness of an investigation
- One installation no longer has a SART or SANE Program or emergency room. Victims receive a SANE exam at a hospital an hour and a half away. The Naval Hospital will provide transportation for the victim and the advocate in for all restricted cases
- MOU signed with Homestead Air Force Base regarding training and advocate services so that victim care is seamless between service's and installations
- Establishment of MOUs with local Women's Shelter to provide initial coverage for military victims reporting to local hospital and notification to SARC. Shelter advocates work closely with military victim advocates.
- Local community is improving the SART process to include military/dependent victims
- Ongoing supportive efforts with the Sexual Assault Interagency Council to increase funding and personnel and therefore, improve response time for exams at the community sexual assault center.

Judge Advocate General (JAG)

In the Navy, specialized efforts to improve sexual assault litigation are a subset of a larger effort to improve the overall quality of military justice litigation. The Navy JAG Corps implemented JAG Corps 2020 which refocused military justice as an essential Navy JAG Corps mission and created the Military Justice Litigation Career Track (MJLCT). Since its establishment in 2007, the MJLCT continues to improve the quality of military justice litigation in the Navy, keep experienced and effective counsel in the courtroom, and provide experienced leaders and mentors for new counsel. By improving the Navy's ability to litigate all types of criminal cases, the MJLCT improves the ability to litigate sexual assault cases.

Navy JAG also took important sexual assault litigation initiatives. In FY09, the Navy developed headquarters reach-back support for counsel in the field by hiring two civilian sexual

assault litigation specialists. One civilian expert is a very experienced former prosecutor who serves as Deputy Director of OJAG's Criminal Law Division and as Director of Litigation Training and Community of Practice Management. The other a very experienced civilian former prosecutor and sexual assault litigation specialist who serves as the Deputy Director of Litigation Training and Community of Practice Management. Both civilians have delivered training on litigating sexual assault at the Naval Justice School, at local commands and by video teleconference. In addition, they are regularly consulted by trial counsel in the field for real-time advice for handling sexual assault cases. Finally, the sexual assault litigation specialists are working with the JAs assigned to the Criminal Law Division (Code 20) to improve the resources available for Judge Advocates to use when litigating sexual assault cases. Some of the resources produced thus far include newsletters, sample motions and sample foundation questions for introducing evidence.

Finally, Navy JAG provides legal support to the sexual assault prevention and response program. JAG has been actively involved in all facets of Navy SAPR policy development and initiatives.

Naval Criminal Investigative Service (NCIS)

The annual military training for all NCIS special agents was revised and improved to provide more detailed instruction and to align with DOD training requirements as delineated in DODI 6495.02. This enhanced training will allow for an improved investigatory product. NCIS is providing more intensive advanced training to F&SV dedicated agents. The training stresses the use of all investigative resources as well as non-traditional techniques. A collaborative effort with the Office of Judge Advocate General which allowed for the review of closed NCIS investigations along with the prosecutorial determinations in those cases has generated some proposed policy initiatives which should greatly enhance the overall investigatory product.

3.2. Steps taken to publicize reporting options or encourage the reporting of sexual assault by Service members, including but not limited to:

CNIC

A video on reporting options was made and distributed Navy-wide. California is a mandated reporting state which does not allow an active duty member to make a restricted report. SARC's are active with their local SARTs in order to understand and possibly improve local and state laws governing sexual assault reporting methods. SARC's on all installations publicize reporting options.

3.2.1. The number of personnel trained to be “first responders” to sexual assaults (including criminal investigators, law enforcement, medical personnel, judge advocates, VAs, SARCs, and chaplains)

BUMED

BUMED First Responders and Forensic Examiners trained.

Region	First Responders	Forensic Exam Trained
Navy Medicine West	3698	17
National Capitol Area	845	23
Navy Medicine East	6955	40
Navy Medicine Support Command	427	N/A
Total	11925	80

Chaplain

Eighty four (84) chaplains were trained in sexual assault prevention and response at the basic and supervisory courses at the Naval Chaplain School. The total number of chaplains trained in first responder techniques within the past 2 years is 582.

CNIC/NETC

In FY09, 50 SARCs and approximately 4200 Victim Advocates were trained. Fleet-wide 46,917 Sailors completed their annual prevention and awareness training online through Navy Knowledge Online (NKO). All external evaluations indicate that online training is not an effective method to reach Sailors so that they understand the reporting procedures, and the significant of the problem of sexual assault in the Navy. Interactive, scenario-based training targeted to the age and leadership level are the most effective training modality.

Judge Advocate General (JAG)

Regional Legal Service Office (RLSO) training

In the Navy, Trial Counsel is assigned to RLSO commands. During FY09, each RLSO conducted a stand down training on all topics required by DOD Instruction 6495.02. Materials were provided to them by the Commander of the Naval Legal Service Command. In addition, Code 20 (the Criminal Law Division of the Office of the Judge Advocate General of the Navy) disseminated a memorandum to all Senior Trial and Defense Counsel explaining the training requirements and how to meet them. Briefs on the training topics are posted on the Code 20 Navy Knowledge Online (NKO) page and accessible to all personnel.

Within each RLSO command, the Senior Trial Counsel (STC) provided training, advice and mentoring to assigned counsel in sexual assault cases. The STCs provided close supervision in these cases and assisted counsel to develop the plan on presenting evidence, how to work with

witnesses, trial strategy, theory of the case and other matters. The STCs focused specifically on Military Rules of Evidence 404(b), 412, 413, 414, 513, if applicable to that case, and how best to question the particular victim in the case on direct examination. The STCs also trained Trial Counsel in working with sexual assault victims and getting them ready to participate and testify in their cases.

Code 20 (Criminal Law Division)

Code 20 began a Lunchtime Learning Program which entails monthly litigation training delivered live at the Washington Navy Yard. All area JAs and NCIS agents are invited to attend. The lecture is audio taped and placed on the Code 20 Navy Knowledge Online (NKO) webpage with the briefing to make it available to all JAs in the field. Topics included Alcohol Facilitated Sexual Assault and Expert Witnesses. In addition, Code 20 provided specialized training to RLSO Mid-Atlantic on Sexual Assault with Multiple Accused, Spousal Sexual Assault and Cross Examination and to the NLSO North-Central on Litigating Sexual Assault Cases. Finally, Code 20 provided training via video-teleconference on Sexual Assault with Multiple Accused to RLSO Midwest. Code 20 provided training on Article 120 offenses at the Staff Judge Advocate (SJA) conference to approximately 25 SJAs.

In addition to training, Code 20 developed resources specific to sexual assault. The following practice tips were written and posted on Code 20's website on NKO:

- Litigating Sexual Assault – Part 1: Pretrial Techniques
- Litigating Sexual Assault – Part 2: Offender Focused Prosecution
- Presenting Medical Evidence in a Sexual Assault Case
- Dealing with the Blackout Defense

Sample questions for Sexual Assault Nurse Examiner testimony were created and posted on NKO as well.

Increased resources for litigating sexual assault

Navy was given \$350,000 by OSD SAPRO. A portion of this funding was used to create the new course "Strategic Sexual Assault Litigation and Mentoring Skills for Senior Counsel" (described below). Navy also purchased legal reference materials for all RLSOs and NLSOs to support their ability to litigate sexual assault cases. References provided to the RLSOs that will enhance their ability to litigate sexual assault cases include "The Undetected Rapist" DVD from Legal Momentum, "Practical Aspects of Rape Investigation" (4th Edition), "Sexual Assault Trials" by Paul Der Ohannesian, "Drug Facilitated Sexual Assault: A Forensic Handbook," and "Color Atlas of Sexual Assault." Finally, some of the money was used to enhance video teleconference capacity to enhance the delivery of worldwide training and individual case consultation.

Development of Joint DVD Training

OSD SAPRO provided money to the Service Judge Advocates to produce training on prosecuting sexual assault. The Services secured a contract with Simmersion Corporation to create an interactive DVD which will have 22 modules on litigating sexual assault. The DVD will cover the topics required for Trial Counsel training under 6495.02 and will include virtual

scenarios that simulate a direct examination of a victim and a cross examination of an accused. It is anticipated that it will be completed by the end of FY10.

NJS training

The Naval Justice School (NJS) provides the majority of Navy JA training and prepares each JA for courtroom litigation. The NJS curriculum includes the “Basic Lawyer Course” that JAs must complete to be certified as Trial or Defense Counsel. Additional courses include “Prosecuting Complex Cases, Computer Crimes,” and “Trial Refresher and Enhancement Training.” As funds are available, JAs are also sent to Army JAG School courses, such as the Criminal Law New Developments course that included training on the new UCMJ Art. 120. The training material is then brought back to the RLSOs and made available to all Judge Advocates.

- “Strategic Sexual Assault Litigation and Mentoring Skills for Senior Counsel” – NJS was able to offer this course for the first time with the OSD SAPRO funding. (Note: separate Navy funds were used to enable defense counsel to attend the defense portion of the course to ensure that both sides are equally trained and resourced.) The course was created in conjunction with Code 20 and was designed to provide senior Trial and Defense Counsel with the skills necessary to mentor junior counsel as well as enhance their litigation skills. The course addressed all aspects of leadership and strategic sexual assault litigation and ranged from lectures to interactive exercise. It covered topics required by DOD Instruction 6495.02 in sessions such as Sexual Assault Litigation 101, Handling the Complicated Cases, Strategic Sexual Assault Litigation, Experts and additional breakout sessions. Faculty included military and civilian experts on sexual assault litigation. Attendees were provided with electronic resources including the DOJ manual “Prosecuting Alcohol Facilitated Sexual Assault” and several issues of The Voice (the newsletter of the National Center on the Prosecution of Violence Against Women), which addressed various aspects of litigating sexual assault cases, such as understanding offenders and preparing victims trial.
- “Sexual Assault Litigation Course” – NJS offered this course for the first time in April 2009. It covered the topics required by DOD Instruction 6495.02 including forensic evidence, sexual assault forensic examination, sexual assault victim behavior, Military Rule of Evidence 412, the use of experts and alcohol facilitated sexual assault. The course was taught by a combination of experienced civilian and military attorneys and other experts.

“Basic Lawyer Course (BLC):” All JA’s must attend the BLC (a 9 week course) in order to be certified to practice before courts-martial. Various components of the initial training required by DOD Instruction 6495.02 are covered during the BLC including: Overview of Litigating Sexual Assault Cases, Criminal Investigations, VWAP, Pretrial Agreements, Motions, Evidentiary Foundations, Character Evidence, Case Preparation, and Sentencing Advocacy.

- In addition, one third of the student participated in a fully contested mock sexual assault trial before members (including motions practice).
- Prosecuting Complex Cases: This course is designed to deliver advanced training on prosecuting complex cases. Lectures on overcoming the consent defense and alcohol facilitated sexual assault addressed topics required by DOD Instruction 6495.02.

- PCO / PXO Course: Training on sex offenses for prospective commanding officers and XOs was provided. The lecture addressed topics required by DOD Instruction 6495.02 and provided tools for COs and XOs to handle sexual assault cases.

Civilian training

RLSOs routinely sought out training from civilian sources on litigating sexual assault. Most RLSOs have established relationships and share training with local District Attorney offices and with local civilian counsel. Some of the civilian training received by JAs in FY09 included:

- The National Institute on the Prosecution of Sexual Violence (The American Prosecutors Research Institute / Pennsylvania Coalition Against Rape)
- “The Role of Alcohol in Sexual Assault” (Michigan Justice Training Fund’s Violence Against Women Project)
- Prosecuting Sexual Assaults and Related Violent Crimes (National College of District Attorneys)

Naval Criminal Investigative Service (NCIS)

All NCIS agents are trained to be “first responders” to sexual assaults and other types of criminal activity. NCIS presently has 1293 Special Agents. NCIS agents respond only to unrestricted reports of sexual assault. The sexual assault reporting options (Restricted/Unrestricted) are included in all the NCIS sexual assault prevention briefs provided by NCIS special agents, world wide.

3.2.2. Efforts to provide trained personnel, supplies, and transportation to deployed units to provide appropriate and timely response to reported cases of sexual assault

CNIC

Trained Victim Advocates deploy with Navy commands, and installation SARCs provide reach-back capability and support. Deployment is routine for Navy commands, Sexual assault prevention and response is required training and is also addressed in port calls and safety stand-downs.

If Sailors deploy as Individual Augmentee’s they work for the Executive Agent/lead command; which is primarily the Army in the AOR. Navy Sailors train with the Army prior to deployment. Sexual assault prevention, reporting options and identification of SARCs and Victim Advocates are part of the training. During FY09 some current Navy Victim Advocates were sent on IA deployments so they were able to serve as a resource in their deployed location as needed. Navy staff travels overseas to provide training to military personnel which include the SAPR program information on resources in Kuwait and other locations prior to deployment.

Judge Advocate General (JAG)

RLSO Europe and Southwest Asia (EURSWA) is responsible for providing command services to all Navy commands throughout Europe, Africa and Southwest Asia, including Iraq and Afghanistan. Judge advocates in Naples, Italy, Rota, Spain, Sicily, Souda Bay, Crete and Bahrain stand ready to support deployed units on these three continents and at sea in response to sexual assault matters. In FY09, RLSO EURSWA JAs were dispatched to support deployed units in Iraq and Afghanistan as well as three ships at sea; however, none of these cases involved sexual assault. Nonetheless, they demonstrate the commands support to the Fleet in deployed environments and the ability to respond should a sexual assault be reported. RLSO EURSWA will continue to surge judge advocates to the operators to meet the demand for services as necessary.

RLSO Japan provides services to commands located in Commander, Naval Forces Japan and Commander, U.S. Naval Forces, Marianas Islands areas of responsibility; or transiting through the Commander, U.S. SEVENTH Fleet area of responsibility to include Japan, Guam, Diego Garcia, Singapore, Korea, Hong Kong and other activities located in Southeast Asia. RLSO Japan has trained personnel available at the headquarters (Yokosuka) as well as at each of the branch office locations (Atsugi, Sasebo, Misawa, Okinawa, Guam, and Diego Garcia). Trained personnel are also available at the embedded office in Singapore. All qualified personnel are available to provide training to deployed units.

Judge Advocates preparing to individually augment to CENTCOM AOR deployed units receive additional training from the Naval Justice School.

Naval Criminal Investigative Service (NCIS)

All NCIS special agents who deploy have received sexual assault training in their basic school at FLETC. All NCIS special agents are mandated to complete annual sexual assault training. Agents who deploy have access to NCIS equipment, supplies, gear and reporting templates.

3.2.3. Information regarding supply inventory results, as well as the location/availability of supplies, trained personnel, and transportation resources to support deployed units in responding to cases of sexual assault

CNIC

Each command is required to have a trained Victim Advocate on board when deployed. SARC's provide electronic and disc copies of forms, pamphlets, brochures, flyers, and victim support information to deployed commands. Victims are medically evacuated to hospitals for forensic collection and counseling when needed. Challenges include transportation to support Victim Advocates in deployed units, ensuring SAFE kit availability and trained personnel, and ensuring that evidence collection and storage protocols are known to medical personnel and Military Criminal Investigative Office (MCIO) regardless of service. SARC's provide briefs and materials to the Reservists and Individual Augmentees processing through to deployments at

Navy Mobilization Processing Centers. Victim Advocates on deployment are instructed to contact the SARC for any assistance needed in the event of an assault while on deployment.

Naval Criminal Investigative Service (NCIS)

To date, NCIS deployed agents have been volunteers. There are no known issues pertaining to the lack of supplies and/or transportation when responding to a sexual assault allegation.

3.2.4. Information regarding the number of victims whose care was hindered due to lack of available Sexual Assault Forensic Examination (SAFE) kits or other needed supplies

BUMED

Each medical facility that provides in-house SAFE collection has kits available, maintained in their Emergency Department or appropriate clinic.

CNIC

The Navy places a priority on effective response to victims and victim care whether afloat or ashore. It is important that commands have SAFE kits that had not expired. No services were hindered or adversely impacted due to lack of SAFE kits. NCIS supplies the SAFE aboard ships. Other in-country deployed Navy units must rely on the other military service health clinics for a SAFE to be performed. CBC Gulfport received information that one victim was not able to secure a restricted report due to the difficulties receiving and arranging an airlift for medical attention while on deployment. The detachment Officer in Charge (OIC) was able to arrange transportation but was not willing to “just take the word of the SAVI” to finalize and approve the arrangements. All were reeducated with the intent to not have this happen again.

Naval Criminal Investigative Service (NCIS)

During FY09, there were no sexual assault investigations wherein a SAFE kit was not available. There are no documented cases for FY09 which indicate that a victim did not receive a sexual assault examination due to the lack of a SAFE kit or any other comparable sexual assault evidence collection kit.

3.2.5. Information regarding the number of victims whose care was hindered due to the lack of timely access to appropriate laboratory testing resources

BUMED

Timely access is available for all medical laboratory testing and victims are treated empirically for potential sexually transmitted infections prior to reported lab results.

CNIC

One case was identified where a victim experienced additional emotional stress due to the lengthy wait for DNA results at local police department, which delayed the identification of suspects, and timely resolution.

Naval Criminal Investigative Service (NCIS)

NCIS utilizes USACIL (United States Army Criminal Investigations Laboratory) for a majority of submitted sexual assault evidence. USACIL does not have the ability to analyze hair but will forward the evidence to an accredited private criminal forensic laboratory for analysis, with concurrence from NCIS. To date, the utilization of a private lab has not hindered any NCIS investigation. The laboratory analysis time for USACIL is adequate and has not hindered the timely completion of any NCIS investigations. Evidence being submitted for toxicological review is submitted to the Armed Forces Institute of Pathology (AFIP) for analysis. It does not appear that evidence analysis at AFIP has been excessively delayed. Recent contact with AFIP indicated their toxicological review can be completed approximately three (3) days after receipt of the evidence.

3.2.6. Other

CNIC

Victims at FT Meade who have been sexually assaulted go to National Naval Medical Center (NNMC) Bethesda for their forensic exams and medical care, as the local MTF on base is only a clinic and does not have the capabilities to perform SAFEs at this time. While NNMC Bethesda is the closest and largest MTF for many active duty service members in the MD/DC area, there is a shortage of specially trained SAFEs (Sexual Assault Forensic Examiners) at Bethesda. While this has never directly affected any cases, there is a concern about the potential negative impact this lack of a crucial resource could have on future cases.

Supporting victims in deployed environments and being able to reach other Service SARC's can be challenging due to logistics, however all involved are responsive to victims and work collaboratively.

Victims in California cannot make a restricted report if they seek medical care or forensic exams due to the state law of mandated reporting by healthcare providers. They currently have no trained personnel in installation medical facilities that can provide forensic evidence collection.

3.3. Unrestricted and Restricted Reporting process challenges encountered, as well as the solutions your Service developed and implemented, during the past fiscal year within the context of:

3.3.1. Joint environments

CNIC

The following challenges and solutions regarding the unrestricted and restricted reporting process reported by installations include:

- Command POCs are present for SAVI briefs for newly reporting personnel. In cases in which the POC is not advocate trained, the POC clearly advises the participants that he/she is not included as one of the individuals a report can be disclosed to and have the option of a restricted report
- At Joint Forces commands the other service members voluntarily attend the Navy victim advocate training, POC, and DCC training as well as Naval Orientation to ensure they receive the correct procedures provided by the supporting Host installation SAPR program. Sharing this information cuts down on reporting confusion
- Quarterly meetings with all Service SARCs in Hawaii provide a forum to discuss delivery of services to victims and coordination of services where indicated
- There have not been any problems with Joint response, however, it would be beneficial to have written guidance as to how/which service to manage each aspect
- Annually, Great Lakes participates in joint advocate training with National Guard and the Army Reserves at Fort McCoy. This joint effort encourages each service to utilize the resources and expertise of the training team members and advocates in the needed geographical response area
- Restricted Reporting is usually not utilized by recruits. There are very limited avenues for recruits to seek help without the knowledge of the command
- National Guard personnel chose restricted reporting option, but feared SARC telling command non-identifying information (SOP) would still identify them due to small number in unit. SARC discussed with area commander and accepted knowledge of reported assault without identifying specific unit which was acceptable to the victim. This process is now utilized for small area commands/units like all service branch recruiters (e.g., Navy Recruiter victim data is reported to district command/HQ command as “victim is in a mid-south area recruiting office” vs. naming location)
- In the DC metro area, it is common to have a joint environment including: Andrews, NNMC and the Pentagon. Routinely, personnel at NNMC receive reports of sexual assault from other branches of service and Navy victim advocates are called in to respond. However, each branch of service in the DC metro area has a designated SAPR program. Therefore, victim services are referred to the appropriate branch. The same is true for other joint environments. If a service member reports a sexual assault to Navy personnel, the victim advocate and SARC will assist the victim until he/she is fully connected with the appropriate branch SAPR program. A Navy Victim Advocate would respond with a follow up report to the appropriate services SAPR program
- As a tenant Command on an Army base, there can be confusion and challenges around implementing the Navy SAPR Program. One challenge in particular involves staffing

and attendance at Navy Sexual Assault Case Management Group (SACMG) Meetings when there are open, unrestricted Navy cases. Many of the core disciplines required to be in attendance at SACMG meetings (base security, medical, etc) are in fact Army and are required to attend the Army SARB (Sexual Assault Review Board) to meet their Army requirement and so they do not attend the Navy SACMG meetings. Not having these core disciplines represented at SACMG meetings can be challenging, and this issues continues to be addressed within the Services

- Commands have encountered difficulties reporting, receiving services, and general cooperation with other branches of law enforcement in joint environments. Problems were resolved when the COs became involved with other COs
- Under BRAC, Charleston will be aligned with the Air Force and become an official Joint environment. Discussions and meetings to expedite that process are underway and the expectation is that concrete changes in resources will begin in 2010
- Florida National Guard, local army, USCG, along with Navy personnel are jointly trained at VA initial training. They are then referred to their own DOD instruction for differences in acronyms, reporting procedures and particular instruction with their own SARC
- The installation has a small Coast Guard base attached and the SARC has offered training and provides information and referral services on a regular basis
- The Naval Diving and Salvage Training Command, a tenant on the installation with Army and Air Force staff so the Navy and Air Force SARC jointly train on reporting options, resources, and services available
- Marine Units onboard NAS Pensacola operate under their own guidance, and they do not report to the installation Navy SARC, however Marine units receive SAVI General Military Training that instructs service members on reporting options and confidentiality
- Joint environments continue to be an issue as there is not a system in place to share information across branches of service. It is difficult to locate another service SARCs overseas and in combat areas of interest
- The DLI Foreign Language Center is essentially an Army support base under TRADOC. It is possible for a Navy Victim Advocate to first meet with a service member of another as well as an Army or Air Force trained victim advocate may meet with Navy victim. All SARCs (Army, Navy, and Air Force) collaborated and we ensure that the victim is provided services and then a warm-hand-off is initiated with the victim's parent service. Close cooperation between services is essential and is ongoing
- Members use the restricted reporting option due to fear of retribution of collateral misconduct
- Joint basing between Naval Weapons Station Earle, McGuire Air Force Base, and Fort Dix has been a collaborative effort working to provide the best services possible for all
- Challenges with case management and delivering and tracking services provided to victims in joint environments most often were due to procedural variations among the service branches SAPR programs.
- Additionally, the protocol of handling SAFE kits for Restricted Reports vary in the services so collaboration among service SARCs has helped in increasing communication with other military branches in order to effectively manage any victims of sexual assault

Naval Criminal Investigative Service (NCIS)

NCIS is embedded in joint environments throughout the world, including combat areas of interest. NCIS is involved solely with unrestricted sexual assault complaints. To date, no known challenges have been encountered by NCIS field agents when working in joint environments which would adversely affect the conduct of a criminal investigation involving a sexual assault allegation.

In September 2009, a Memorandum of Understanding (MOU) concerning investigative responsibilities on Joint Bases was signed by the Commanders of Air Force Office of Special Investigations (AFOSI), US Army Criminal Investigations Division (USACID), and the Acting Director of NCIS. The MOU provides specific guidance as it pertains to investigative authority and responsibilities for the Military Criminal Investigation Organizations (MCIOs) operating on DoD Joint Bases.

3.3.2. Combat Areas of Interest

CNIC

Ensuring effective response for victims in Combat Areas of Interest is critical. It is especially difficult when Sailors deploy as Individual Augmentees because they are seeking support in a new environment with different protocols, SAPR terminology, and positions. Some challenges noted:

- One sailor was assaulted while on an IA deployment. Challenges this victim encountered included trying to contact a Victim Advocate on duty and not receiving a call back for two days, not being offered a medical or forensic exam, not being treated appropriately by a Chaplain she disclosed to, and having to come in contact with the perpetrator after she reported the sexual assault to Command. This incident highlights some process issues as well as the need for additional education
- One victim, on her way en route to Afghanistan requested her case be restricted when she made a sexual assault report. Later she was pressured to provide the alleged suspect's name or be brought up on fraternization charges. Unfortunately, the victim thought that she was still restricted and was not advised that she no longer could continue in that status. When she arrived in-country she remained there for a short period of time and then returned to her parent command without any information regarding her case or her status
- A Sailor deployed as an IA in Kuwait was sexually assaulted by an offender from another military service. The victim told a friend who notified the Army D-SARC. Victim met with D-SARC and signed VRPS electing an unrestricted report. Army CID was notified. D-SARC met with victim once more. Victim states that when she asked for a VA she was told to contact her Command VA upon her return to the US. Victim stated that after the two initial contacts she was not offered a VA or counseling. Victim stated that she felt isolated and alone. The victim did not return to her command for three months. The victim's command and installation SARC were not notified. If the victim had not notified her command VA, this case would have never been brought to the Navy's attention. The Victim was re-victimized by the lack of response and follow-up care.

- The Metro San Diego SARCs support a number of Navy ships, carriers, and other commands that deploy to combat areas of interest. A challenge to sexual assault reporting during deployment is that some commands have not been fully educated on the reporting process or policy. These circumstances have resulted in individuals being denied their restricted reporting option or with unrestricted cases being mishandled. Outreach and training for such commands is ongoing.

Naval Criminal Investigative Service (NCIS)

NCIS is in numerous combat areas of interest throughout the world. NCIS is involved solely with unrestricted sexual assault complaints. To date, no known challenges have been encountered by NCIS field agents when working in deployed environments which would adversely affect the conduct of a criminal investigation involving a sexual assault allegation.

3.3.3. Tracking victim services

CNIC

Input from Regions/Installations:

- Warm handoffs are the practice followed for all sexual assaults restricted or unrestricted where the victim desires to continue services and is relocating to a different area
- Although this is a joint service area in regards to response to sexual assault, Tripler Army Medical Center serves as the conduit to access service specific civilian advocacy and support services, especially with the addition of the SANE this past year
- Sexual assault response and support services were provided to a victim off a Canadian ship this past year. Command was very appreciative of the services provided. Victims of sexual assault have been provided services from Navy ships not assigned here; coordination with the SARC in other locations has gone well
- Without the DoD wide Case Management System, tracking victim services continues to be a challenge, especially as it relates to IAs or joint environment situations. This is especially concerning when transfers/PCS occurs
- Warm handoffs have been smooth with branches of the military and other SARCs. Initial and follow-up contacts with other SARCs ensure victim services continue
- Tracking victims is difficult when they leave a school environment
- Coordinating care for Reservists can be challenging. It has been difficult to determine the status of the reservist and who takes the lead in criminal investigations, services and support. Specifically, a report of a sexual assault was received by a reservist and her parent command was located in another state. With limited notice, the Reservist relocated back to her home state. Establishing continued support through an active duty base or reserve unit proved difficult. There were no military installations in close proximity to the victim and the reserve unit did not have ongoing support/victim advocate services. The SARC accessed the closest installation to the victim for contact and located some community resources/services in the area. Aside from phone support, the victim had limited support from the Navy and/or reservist unit
- Difficulty tracking NCIS case status for case that was reported/opened in location B, had previously occurred in location A, and victim was transferred to location C as a reservist

a few days after reporting incident to NCIS. SARC's had warm hand-off without difficulty but NCIS took time in coordinating investigation and collection of evidence. Once all NCIS agencies were working with each other the case made quick progress

- We have continuously had issues with tracking victim's services, incident tracking and case disposition in joint environments. We have had several cases involving Navy victims where the perpetrator was with another branch of service and we could not get case disposition information, in one of these cases we got a "we are handling it" and no further information was disclosed. We have also had cases in joint environments where Navy victims were assisted by other service SARC's or VA's and they would not share victim information for Navy SARC follow up and case tracking

Naval Criminal Investigative Service (NCIS)

NCIS does not track services provided to victims of sexual assault. NCIS does ensure victims are provided with a victim advocate at the initial stages of the investigation. NCIS has a requirement to minimally have monthly contact with a victim of a sexual assault during the investigatory phase of the investigation. NCIS does not track other agency contact with victims.

3.3.4. Restricted Reporting in any environment

CNIC

Challenges for restricted reporting included:

- For some locations the lack of privacy within small commands concerning restricted reporting remains an issue
- Non-availability of restricted reporting for civilians in an OCONUS environment could be interfering with civilian victims reporting the incident and obtaining needed services.
- Commanding Officers report feeling "helpless" with restricted reports (i.e. only getting basic information but no names).
- Attempting to access services in a remote site where there is no SANE nurse. These victims must then travel for lengthy periods to reach a MTF with a SANE nurse (up to several hours) and then upon completion of the SANE examination (several hours in length) and return to base without providing rationale as to why service member was not available to work if they desire to keep sexual assault restricted
- The primary challenge with restricted reporting is ensuring Navy personnel understand the restrictions and processes of a restricted report. Victims may want to keep their report restricted will disclose the incident to a coworker who will then make a report. The victim wants to keep the report confidential with no command or legal involvement but has already shared the information with someone outside the restricted reporting "bubble," resulting in the report being unrestricted. The victim then feels mistrustful of the system and may refuse to engage in support services
- SARC notes victims sometimes have difficulty attending counseling sessions due to time away from work and the Chain of Command not being aware of what has happened
- Difficulties with restricted reporting continue to include service members not directly utilizing SAPR services until after consulting with several people

- The two facilities that conduct SAFE exams for the county of San Diego will not conduct a forensic exam unless law enforcement has authorized the exam. Thus no individual may receive a forensic exam without reporting to a law enforcement official
- Challenges with restricted reporting in any environment continue to be fears victims may have surrounding collateral misconduct, the ability to obtain counseling services without being questioned by those in chain of command, and the ability to maintain their confidentiality and privacy within command.

3.3.5. Other (Please explain)

4. Program Oversight Activities

4.1. Please provide a description of how your Service executes its oversight of the SAPR program. Please include a synopsis of the formal processes, participants, and data collection activities that support oversight of the program

BUMED

BUMED Office of Women's Health has program and policy oversight with the BUMEDINST 6310.11. This directs program responsibility at the MTF level to the MTF Commanding Officer.

CNIC

The Navy has several mechanisms in place to provide regular oversight of the SAPR program. Area Inspector General (IG) regularly reviews SAPR programs reporting all findings to Regional and Installation Commanders. In March 2009, the acting Secretary of the Navy directed the Naval Inspector General (NAVINSGEN) to conduct an update of the 2005 Sexual Assault Study.

CNIC provides oversight by collecting quarterly restricted reports of sexual assault from the Regions. In addition, every site goes through the FFSC Accreditation process every three years to ensure Navy SAPR program requirements are being met. Regional FFSP staff review the programs every 18 months. FFSP Directors or their Counseling and Advocacy Program (CAP) Supervisors provide direct supervision of the SARC who is the major POC for the oversight of the program at each installation.

Navy SAPR program is a Command responsibility. The Commanding Officer (CO) is responsible for the program's quality and effectiveness within the Command. Under CNIC, there is Regional, HQ, and installation CO oversight for policy and program management and development to enable the Fleet and each command to have an effective program. The SAVI POC is responsible for oversight of the SAPR program at the Command level.

Sexual Assault Case Management Groups (SACMG) are a monthly requirement to review all open unrestricted cases of sexual assault which provides oversight of case management and barriers to victim support. If an installation does not have any open unrestricted

cases, many SARCs reported they still have a monthly or quarterly meeting with key stakeholders, such as Naval Criminal Investigative Services (NCIS), Legal, Medical, Chaplains and Installation Commanding Officers. These meetings provide oversight to the SAPR program and discuss system impediments and process improvements.

Installation SAPR programs maintain binders which contain DoD and Navy policies, Regional Instructions, SAVI Protocol Checklists, Victim Advocate Rosters and watch bills, SAVI personnel rosters, training documentation, Sexual Assault Case Management Group (SACMG) documentation, command communications and military and civilian resources, which are used as oversight tools by the CNIC Accreditation Teams.

All Installations also have Regional oversight of their SAPR program. The Regions have designated regional program staff members for oversight of the program to ensure all aspects of sexual assault awareness and prevention, victim advocacy and data collection are in place.

Training oversight is also done by a review of data in the Fleet and Family Support Management Information System (FFSMIS). SARCs are responsible for entering training demographics on all education and training they conduct, also command consultations, outreach and one-on-one contacts (excluding victim contact). FLTEMPS is the data base for training conducted in NKO and when input by Command training officers throughout the Fleet for Annual SAPR Training.

The SAVI Case Management System (CMS) was contracted in FY09 and is to be launched in FY10. The CMS will allow CNIC to have continuous oversight of how the SARCs are managing their part of the Navy SAPR program. In addition, the Cross Functional Team (CFT) established in September 2009 is meeting on a regular basis with key stakeholders of the Navy SAPR program to include the fleet. The CFT is ensuring that all aspects of the Navy SAPR program are being met. The Chief of Naval Personnel (CNP) reports to the Chief of Naval Operations (CNO) on the status of the sexual assault prevention program to include data reporting, training and education programs, incident reporting measures, investigation and prosecution, victim advocacy and support programs and resource requirements regularly. The newly DON SAPRO and the OSD SAPRO office also exercise oversight.

OSD SAPRO also has oversight roles, and conducted Policy Assistance Team visits. Sexual assault remains a key Congressional interest. Navy SAPR representatives testified at HASC subcommittee hearings in 2009 on the topics of victim care and prevention. Testimony on investigation and prosecution is expected to be heard in 2010.

In summary, the Navy SAPR program has oversight at many levels, and for all components, starting locally at the command and FFSC level, all the way to the CNO and the Secretary of the Navy's DON SAPR program and DoD SAPRO. In addition, the DoD Sexual Assault Advisory Council (SAAC) and the DON SAAC, and subcommittees that focus on areas including policy, training, research, and outreach provide ongoing review and process improvement.

Naval Criminal Investigative Service (NCIS)

The Director of NCIS is a member of the DON SAAC (Department of the Navy Sexual Assault Advisory Council). The DON SAAC was formed to ensure the direct involvement of DON senior leadership in the development of DON SAPR policies and initiatives. NCIS personnel are members of the DON SAPR working group which provides administrative support to the DON SAAC.

NCIS HQ periodically conducts a manpower and resource assessment of NCIS criminal assets world wide. This includes a review of all F&SV agents' man-hours worked, sexual assault prevention briefings provided per office, and the number of F&SV related investigations, per location. This review allows NCIS to ascertain if F&SV billets should be added, deleted, or relocated within the billet structure.

Data collection within NCIS is conducted by the analysts assigned to the Criminal Investigations Directorate. To date, data collection is a manual process, requiring review of NCIS sexual assault investigations utilizing at least two different data bases (CIS – Case Information System and CLEOC – Consolidated Law Enforcement Operations Center).

4.2. Please describe the oversight activities that have taken place during the past fiscal year with the methods or approaches you use to perform oversight, including but not limited to the documentation and outcomes of:

4.2.1 Participation in DoD Policy Assistance Team (PAT) Visits

CNIC

United States Navy, Naval Station Great Lakes Recruit Training Center and Naval Air Station (NAS) Pensacola were reviewed as part of the PAT visits, with a CNIC representative that serves on the OSD SAAC training subcommittee serving as one of the reviewers.

In addition, external oversight was also conducted by the Government Accounting Office (GAO), Code 351324, and the Defense Task Force on Sexual Assault in the Military Services (DTFSAMS). In preparation for the DTFSAMS visit, CNIC conducted an extensive data call and collected information from SARCs and key stakeholders, Navy-wide. At least ten Navy Sites reported visits from DTFSAMS during FY09. The visits examined how the Navy implemented DoD SAPR on the ground level. The DTFSAMS report was released in December 2009. CNIC had on-going dialogue with GAO, providing evidence of how the Navy was responding to past recommendations GAO had for improving SAPR processes. Navy views the GAO report as a good opportunity to address and gain support for some of the challenges we face with SAPR to include leadership buy-in at all levels, involvement and support of SAPR-related efforts as well as conducting an empirical evaluation and resource shortfalls. External reviews emphasize the need to enhance services in deployed environments and implement standards/SOPs for joint environments (funding for: assessment, resource development, manpower, project/program implementation and evaluation).

Sasebo, Japan was visited by Congressional Staff Delegation in March 2009 for a round table discussion on sexual assault with the Commanding Officer, Staff Judge Advocate, and Navy Legal Service Office and the Installation SARC.

4.2.2. Program management reviews

CNIC

As stated earlier, the Navy Fleet and Family Support Program Accreditation process provides a comprehensive review of the SAPR program at each installation every three years. Findings are reported to the Installation Commander requiring a response and action plan within 90 days of the accreditation team inspection. Navy SAPR is also reviewed during Area Inspector General visits.

Naval Criminal Investigative Service (NCIS)

All special agents, irrespective of discipline, are mandated to complete the NCIS Sexual Assault in service training during the 4th quarter of the fiscal year. At the end of FY09, the F&SV Program conducted a training review in an attempt to ascertain compliance with the in-service mandate. Periodic review of the NCIS sexual assault prevention briefing program is conducted by management personnel.

4.2.3. Available results or common findings and recommendations of Inspector General (IG) inspections of the program.

In FY 2009, two NAVINSGEN teams visited numerous commands over 45 Navy installations world-wide. This Sexual Assault Study was an update from 2005. An online survey was conducted with approximately 40,000 respondents. The visits included interviews with leadership and focus groups with personnel Navy-wide. All areas of the SAPR program were assessed. The Department of the Navy Sexual Assault Study was released in FY10.

Two NAVINSGEN teams visited numerous commands at over 45 Navy installations world wide. Through the emphasis of the Department of the Navy and the comprehensive review, changes are already beginning to occur in the Navy SAPR program even though the official recommendations had not been released. Some Installations and Regions have been able to use informal feedback to improve the SAPR program at their individual installations. For example, two Installations reported being able to revise their local SAPR Instruction and protocol for victim intervention on a 24/7 basis. The same bases provided and funded a dedicated cell phone that SAVI advocates will carry while they are on duty.

Program improvements since the SAS site visits:

- Recommendation: The DAPA should be trained in the SAVI/SAPR program
- Action: The SARC was asked to develop and deliver specialized training during the Personnel Readiness Summit on Alcohol Use. The 30 minute presentation directed at

274 leaders, including DAPAs, focused on the intersection of alcohol use and sexual assault incidents

- Recommendation: SAPR participation with Right Spirit functions
- Action: The SARC has been asked to participate during the Intermediate Maintenance Facility (IMF) Right Spirit day activities for the previous 3 years
- Recommendation: Staff barracks in an effort to curb negative behaviors associated with incidents of sexual assault
- Action: The Chiefs on base began patrolling the barracks on all local bases since April 09. Their goal is to prevent the potential environments that lend themselves to incidents of sexual assault
- Recommendation: COs avoid re-victimization in accordance with OPNAVINST
- Action: In conjunction with Domestic Violence Executive Leadership training, specialized Sexual Assault training for leaders will begin in FY10
- The Wise Choices program addressed recommendations from the 2004 SAS. It is a program to assist junior sailors new to the Navy on issues that may or may not have been addressed in other Navy required courses/class. The purpose is to have an open type “conversation” with the men and women, who are in separate groups discussing marriage and relationships, sex, STIs, and pregnancy, SAVI, stress at sea, workplace environment for both men and women, and emotional disturbances. This program was started in 2006 and the evaluations reflect a positive response from the sailors
- SARCs work to engage leadership in all facets of the program from participation in General Military Trainings (GMT) to program implementation at the command level

Naval Criminal Investigative Service (NCIS)

The Navy SAS final report was not released at end of FY09. On 8 Oct 09, NCIS received “Preliminary Findings and Recommendations from Sexual Assault Study”. Below comments relate to the preliminary findings.

- **No centralized database for sexual assault for Navy (and DOD):**
 - Recommendation: a working group to include NCIS concerning the IT issue.
 - Recommendation: NCIS and SAPR program database managers compare data and determine reporting shortfalls on a quarterly basis.
 - There has been one meeting between NCIS IT and SAPRO IT personnel concerning database issues, as of mid-October 2009.
- **Sexual assault case processes are protracted in the legal proceedings.**
 - Recommendation is to adequately resource NLSO, local JAGC Offices and NCIS to process sexual assault cases within a reasonable amount of time.
 - NCIS has requested additional resources be allocated to the Family and Sexual Violence program.

4.2.4. Steps taken to address recommendations from past external oversight activities, such as those performed by Government Accountability Office (GAO) or DoD/Service IG

CNIC

Navy actively participated in and supported GAO reviews, #351324 and 351062. Installations utilized feedback from past external oversight activities for improvement. Recommendations from various installations include:

- Increased marketing efforts: distribution of posters, brochures and the reporting options video
- Communication: Some installations have ensured the FFSC answering service now clearly state the POC telephone number to contact in the event of a sexual assault
- Reporting: Increased training and oversight of SITREP requirements for sexual assaults
- Program Name Recognition: Implementation of use of term “SAPR” for all Sexual Assault Prevention Education, Victim Services, and data collection and reporting elements
- SAPR program requested and obtained a base cell phone for a watch bill of advocates. One location changed from using local community victim advocates to a base watch bill. This allows a faster response time and the ability to establish a relationship with community agencies. Further, advocates no longer have to cross state lines for services.

Challenges noted:

- Effectively implementing the program in deployed and joint environments
- Action: By training VAs and POC/Liaison/DCC personnel prior to deployment we ensure the availability of services in deployed locations
- Review and evaluate training to ensure the military services are meeting training requirements and to enhance the effectiveness of the training
- Action: The SARC has been proactive in finding the right training for our personnel to ensure the highest retention and most value for the time available. Focus of training transformed from risk reduction to bystander education that uses scenario based interactive training to involve the audience. The goal is for Sailors to recognize the situation and understand their role in the perpetration or prevention of sexual assaults
- Systematically evaluate and develop an action plan to address any factors that may prevent or discourage service members from accessing mental health services
- Action: The SARC has trained all counseling staff and Naval Hospital leadership on the restricted and unrestricted reporting options available to active duty personnel in the hope that this will prevent unauthorized disclosure. Additionally, victim advocates are trained to educate the victims on what they need to disclose to command when requesting time off for medical/counseling appointments.

4.2.5. Other (Please explain)

The DON SAAC, DON SAPR working group, the newly established Cross Functional Team all provide oversight. DON SAAC meets quarterly. The DON SAPR working group met several

times during FY09. The new CFT has been meeting weekly since the Senior Leadership Summit was held in September 2009. DOD SAAC Subcommittees and working groups met during FY09.

5. Research and Data Collection Activities

5.1. Please describe the research and data collection activities that have taken place within your Service during the past fiscal year. Please do not include the activities you have already discussed in the “Program Oversight Activities” section. The activities you discuss in this section should include but not be limited to:

5.1.1. The initiation or execution of any survey for the purpose of informing or improving Service SAPR programming, including highlights of available findings

CNIC

Results from a FY08 SAVI Quick Poll were released in FY09. The Quick Poll identified that the majority of respondents are familiar with the SAVI Program, knowledgeable about the availability of victim advocacy services, and aware of avenues and options for reporting.

Naval Criminal Investigative Service (NCIS)

In August 2009, NCIS surveyed 25 Family and Sexual Violence (F&SV) dedicated agents, CONUS and OCONUS with questions pertaining to sexual assault evidence (SAE) collection kits. A majority of those queried provided relevant feedback. Questions in the survey pertained to the use of a Military Treatment Facility vs. a local hospital/location for the completion of the SAE kit and the availability of a Sexual Assault Nurse Examiner (SANE). Results:

- **CONUS:**
 - 62% of CONUS offices use local hospitals vs. 38% using the Military Treatment Facility (MTF) to conduct the SAE.
 - 94% of CONUS offices had access to a SANE, whether at a local facility or MTF.
- **OCONUS:**
 - 100% of OCONUS offices use MTFs
 - 67% of OCONUS offices had access to trained SANES.

4.2.3. The initiation or execution of any empirical research or evaluation project to inform or improve Service SAPR programming, including highlights of available findings

CNIC

CNIC funded sexual assault prevention studies that have been submitted for publication to professional journals.

Naval Criminal Investigative Service (NCIS)

In May 2009, NCIS collaborated with the DON Office of the Judge Advocate General (OJAG) to conduct a review of 50 closed NCIS investigations conducted during FY08. The review of closed sexual assault cases was conducted to determine what types of cases are being reported, how cases are investigated, and if there are prosecutorial decision trends. Review of the investigations indicated an overwhelming majority of the cases were non-stranger sexual assaults. (92%). Many of the cases had little or no medical/physical findings and/or evidence. Alcohol use was reported in 40% of the cases. Of the cases reviewed, civilians had primary jurisdiction in 40% of the cases, yet they prosecuted only 4% of the cases. In all but one case, the military deferred prosecution to the local jurisdiction.

4.2.4. Formation of active partnerships with other Federal agencies, non-Federal agencies, and/or organizations for the purpose of research and evaluation in conjunction with SAPR program activities

CNIC

Many SARCs participate in a variety of active partnerships with federal and non-federal agencies. Examples include:

- Partnership with NCIS on their Crime Reduction Program campaign
- Monthly Sexual Assault Steering Committee meetings chaired by local Rape Crisis Center
- State Coalitions Against Sexual Assault and Family Violence
- Department of Justice project: the Sexual Assault Interagency Council, which includes the State Attorney's Office, the Sheriff's Office, colleges/universities, advocacy agencies, Florida Dept. of Law Enforcement forensic lab, City of Jacksonville, and two Navy bases, all working to improve services for area victims
- The SARC in Newport is actively involved in the Sexual Violence (SV) Primary Prevention Plan Committee funded by the U.S. Centers for Disease Control and Prevention (CDC) targeted to help Rhode Island improve sexual violence prevention efforts. Members of the Sexual Violence Prevention Planning Committee (SVPPC) developed this plan by integrating public health principles and social change concepts in an effort to alter cultural norms, attitudes, beliefs, and behaviors that support sexual violence. The Rhode Island SVPPC launched this statewide endeavor to collectively analyze what would prevent sexual violence in RI, recognizing it as the first step in the long term process of sexual violence prevention
- SARC was requested to join NJ Governor's Ocean County Violence Prevention Project, a statewide violence prevention coalition. The military perspective is represented across the state in prevention efforts. This action has furthered communication between military and civilian counterparts in the violence prevention community

Naval Criminal Investigative Service (NCIS)

NCIS does have “active partnerships” with other Federal, state and local law enforcement agencies, but for investigatory purposes, not for research and evaluation.

5.1.4. Other (Please explain)

6. Discussion and Lessons Learned

6.1. Please provide a summary discussion of the progress made and challenges confronted by your Service in FY09, including but not limited to:

6.1.1. Lessons learned in FY09

There is need for more medical providers to receive training in the Sexual Assault Forensic Exam. Forensic exam training needs to be standardized to ensure consistent care and collection of evidence is completed. Tracking of trained individuals is another necessary item to ensure the care is available where there is need.

Chaplain

Need to ensure chaplain participation on sexual assault case management teams at all installations.

CNIC Lessons Learned:

- Although progress was made during 2009 it remains a challenge to train a frequently deploying community and to have trained victim advocates
- The most significant progress to affect all services at our location this past year was the establishment of the SANE at Tripler Army Medical Center as well as dedicated social workers in the ER and the establishment of the “Safe Place.” The Safe Place is where all sexual assault victims are brought to minimize their wait in the ER and provide more privacy. The SAPRO Policy Assistance Team visit in August 2008 provided the added validation to put these initiatives in place
- Maintaining SAPR watch bill is difficult with the constant rotation of deploying commands
- It is difficult to hire a SARC for an OCONUS isolated Navy base
- Response from the Sex Signals performances has been overwhelmingly positive but funding limitations could prevent the presentation in the future (Commands are requesting that this be an annual event)
- Visible Command support is crucial. The Base CO spoke at the Victim Advocate training which demonstrated his personal involvement and ownership of the program
- It is difficult to keep all victim advocates up to date with the 10 hour refresher training requirement. Training changed to offer two five hour refresher trainings along with 10 monthly two hour refresher trainings for victim advocates to give more training options

- Sexual harassment escalates into sexual assault when it is not addressed by the command. There were three sexual assault/indecent assaults cases reported in one month. Up to one year prior, each of the victims reported to their command that they were being sexually harassed by their offender. There was little to no intervention provided by the command and two of these cases escalated into indecent assaults and rape. The commands must take sexual harassment seriously and provide immediate attention and intervention to assist these victims and hopefully avoid future escalation. Ongoing sexual harassment and SAPR training must be conducted regularly to keep commands aware of their responsibilities for the safety of their sailors

What works:

- Plastic business cards and small card sized magnets that have SAPR emergency contact information and what to do if you are a victim. These items are small, personal, and easily kept in a wallet/purse or a locker. Feedback has been very positive and the cards are routinely requested
- Incorporating guest speakers is valuable - NCIS, the JAG and SANE nurses participate in the Victim Advocate training
- Training new Victim Advocates currently involves a 2.5 hour orientation process prior to the 40 hour training. This added piece has assisted new advocates in understanding their new role and responsibilities. Since beginning this new training schedule advocates appear to be more engaged in the learning process
- Engaging leadership and continuing to build strong working relationships is effective in implementing a solid SAPR Program
- Younger sailors respond more favorably to and even enjoy scenario based training
- Smaller classes, both for advocate training as well as GMTs seems to facilitate more participation and enhance learning

Judge Advocate General (JAG)

The expansion of the MJLCT, the hiring of civilian sexual assault litigation experts and the creation of two new courses on litigating sexual assault at NJS demonstrate Navy's commitment to aggressively enhance its ability to litigate sexual assault cases. These efforts will continue in FY10.

6.1.2. Status of FY09 plans described in last year's report

BUMED

The Sexual Assault Forensic Exam training program developed by Navy Medicine Manpower, Personnel, Training & Education (NMMPT&E) has been distributed to applicable sites.

Chaplain

Plan to import SAPR/first responder training into a distance learning product within Navy Knowledge Online is in process.

CNIC

Navy SAPR resources implemented in FY09 include: the SAVI Commander's Toolkit, the SARC Resource Guide, videos such as "Open Window," and the OSD SAPRO funded "My Duty" campaign by Men Can Stop Rape. The SAVI Commander's Toolkit includes SAPR resources for Commanding Officers and leadership, including a CD and reference folder with all relevant policy and guidance and is presented to Commanders within the first 90 days of their command to enhance their understanding of the program and to establish a strong working relationship with the SARC. The SARC Resource Guide is a complete reference for new SARCs and is continually updated with web-links to new resources. The new SARC web-based training is under contract and set to be released in FY10. The SAVI Case Management System (CMS) was developed to provide SARCs with an effective web-based system to track and manage all cases of sexual assault. Navy SARCs were trained on SAVI CMS in May and it will be fully implemented in FY10.

Prevention-related initiatives focused on culture change and strong leadership messages about preventing and reducing the incidence of sexual assault exemplified by a successful Department of the Navy Sexual Assault Prevention Summit with over 150 Navy and Marine Corps Flag Officers and SES and key SAPR program stakeholders. Eight civilian Subject Matter Experts educated senior leadership on the impact of sexual assault and the research on effective prevention strategies. Navy continues to fund research (provided in the report) to enhance prevention and awareness efforts. All of the services benefit from Navy prevention research. The SAPR General Military Training (GMT) was updated to follow a continuum based on level (recruit to leadership) and incorporated Bystander Intervention techniques and tools. Bystander Intervention has been incorporated in multiple training venues from the schools, to commands, and sponsoring speakers/presentations (i.e. Sex Signals) that engage the audience and enhance learning.

Awareness campaign efforts planned for FY09 were completed and disseminated Navy-wide to include three tri-fold brochures on reporting options, resources, and Bystander Intervention, and a video on reporting options focused on Restricted Reporting.

SARCs were trained at a multi-disciplinary National Sexual Assault Response Team (SART) Conference in May with presentations from leading experts. They also attended local training sponsored by state coalitions and civilian organizations.

Significant emphasis was placed on SAPR with the establishment of the Department of Navy Sexual Assault Advisory Council (DON SAAC) established in April lead by the Secretary of the Navy attended by all Department principals (SECNAV, UNSECNAV, CNO, CMC, OGC, NCIS, BUMED, Navy Reserve, MCPON, SgtMaj, Fleet Forces Command, Chief of Naval Personnel, and Inspector General) and key stakeholders in Sexual Assault Prevention and Response. The DON SAAC will be held quarterly. The Acting Secretary of the Navy directed the Navy Inspector General (NAVINSGEN) to conduct a new Sexual Assault Study to update the progress from the 2005. The Secretary of the Navy, the establishment of the Department of the Navy Sexual Assault Prevention and Response Office (DON SAPRO) in September at the

end of FY09 demonstrates that reducing and preventing sexual assault in the Department is a priority.

“Sexual assault is unacceptable. Let me repeat myself, there is no place in the Navy and Marine Corps for a sexual assault offender.”

– **Secretary of the Navy Ray Mabus**

Judge Advocate General (JAG)

NJS successfully created the new course Litigation of Sexual Assault Crimes. 65 JAs attended, more than double the number anticipated in last year’s report.

RLSOs took advantage of all funded training opportunities and used command funds to send Trial Counsel to appropriate training throughout the fiscal year. Each RLSO conducted at least one internal Trial Counsel training stand-down that included sexual assault prosecution.

RLSOs continued to seek out partnerships with local District Attorneys, civilian subject matter experts and attorneys. Senior Trial Counsel continued to advise, mentor and train junior Trial Counsel. We leveraged the skills of our new community of Military Justice Career Track litigators to ensure that Trial Counsel with highly developed skills were sought out and reassigned to litigation billets.

Naval Criminal Investigative Service (NCIS)

- The new training program was developed and available for training purposes in December 2008. DONCJIS, (Department of the Navy Criminal Justice Information System) was not implemented during FY09 as reported via the FY08 Annual Report to Congress. DONCJIS is currently being evaluated for technical viability, with a report due back in December 2009.
- NCIS continues to deploy special agents to the combat areas of interest. All agents, irrespective of discipline can and will respond to sexual assault complaints in a timely manner. In FY08, it was determined the on-line sexual assault training needed to be updated in order to be in compliance with DoDI 6495.02. This was accomplished in FY09.

6.1.3. Plans for FY10:

The vision of the Navy SAPR program is to have a culturally-aware, educated Total Force environment intolerant of sexual assault, supported by well-defined prevention, reporting, investigation, military justice, and victim advocacy program. The mission is to reduce sexual assaults in the Navy.

Restricted reporting. DON SAPRO is sending staff to visit California in FY10 to visit Navy and Marine Corps installations. Our two purposes are to gain field-level perspectives on (1) impacts of California law on sexual assault restricted reporting, and (2) access to sexual assault forensic exams (SAFEs) for active duty Sailors and Marines.

Advocacy. The Navy will assess advocacy resources of the SARCs and Victim Advocates. Funding additional SARC positions and working towards civilianizing the SARC positions is a priority. Recruiting and training Victim Advocates and development of selection criteria will be emphasized in FY10.

Prevention and training. Commanding Officer's lead the way in developing a climate of prevention that encourages reporting and bystander intervention, supports victim care and holds offenders accountable for the crime of sexual assault. Navy will pilot Mentors in Violence Prevention (MVP) "train the trainer" Bystander Intervention in multiple venues to include school, carrier, leadership, and in remote locations in FY10. Bystander Intervention will be incorporated multiple ways fleet-wide. Emphasis will be to shift Navy culture to understand that sexual assault is not tolerated. Collaborative training efforts will be developed recognizing that alcohol is a "weapon of choice." DON SAPRO will support training and will sponsor a Navy and Marine Corps SARC Summit focused on the Sexual Assault Study, policy changes, and facilitation skills.

Research and surveys. Navy will continue to fund recruit research and develop surveys to evaluate incidence, program, and training effectiveness. Metrics will be developed for evaluation purposes.

Oversight activities. Navy and DON SAPRO will continue comprehensive oversight by conducting site visits across the Navy, continuing the FFSP accreditation process and area Inspector General reviews providing findings to senior leadership.

Healthcare/forensic exams. BUMED will continue to train additional forensic examiners in those facilities that have in-house capability, and to provide standardization of the exam in all facilities. BUMED will ensure that all facilities without in-house exam capability will have appropriate MOUs with civilian facilities in place. Mental Health services will be offered to each victim and are routinely available through the Behavioral Health Department at each MTF, Fleet and Family Support Centers, and Marine Corps Counseling Centers.

Investigative. NCIS will continue the Sexual Assault Prevention Briefing program, and implement an Advanced Family and Sexual Violence training program to train as many F&SV dedicated agents as funding will allow. If funding is available, establish Mobile Training Teams with OJAG to facilitate training to special agents in the field. If funding is available, produce and disseminate a sexual assault prevention video. NCIS will continue to review ongoing investigations and provide assistance/guidance as needed.

Legal - Judge Advocate General (JAG). Navy JAG will continue with the initiatives underway in FY09. NJS intends to offer the same courses in FY10 as it did in FY09 with the possible exception of the Senior Counsel Course. The course was created with OSD funding; whether it will be offered depends on similar funding becoming available. NJS will continue to partner with Code 20 regarding the creation and improvement of training opportunities on litigating sexual assault. Finally, Navy JAG will continue to partner with the other Service JAGs to create the joint DVD.

Chaplain. In response to NAVADMIN 282/09 requirements, Chief of Chaplains (COC) will ensure that Navy Chaplain Corps (CHC) are prepared to provide pastoral and spiritual counseling to victims of sexual assault. Further, COC will strive to ensure that all Religious Ministry Team (RMT) staff (Chaplains (CH), Religious Program Specialists (RPs), Contract Clergy, Civilian Personnel) are trained in a standardized manner.

All RMT members will receive pastoral and spiritual counseling in specific initial and periodic sexual assault prevention and response (SAPR) training covering all relevant policy.

The goal for FY10 is to have 100% of CHC receive First Responder training. The requirement that Chaplains attend monthly Sexual Assault Case Management Group meetings will be reinforced.

COC will identify training on moral character and courage so that Sailors “do the right thing” resulting in a culturally aware, educated, total force environment that is intolerant of sexual assault (training would also apply to misuse and abuse of alcohol, domestic violence, sexual harassment, suicidal ideation, gestures and attempts, sexual assault, fraternization, fraud, waste and abuse, etc.). Focus on *Response* (recognizing danger signs and appropriate action) and ability (knowing what to do and how to do it).

The FY10 Professional Development Training Conference for Chaplains will focus on the role of Chaplains as Advisors to the Command, including moral and ethical issues.

A FY10 Professional Development Training Workshop on Combat Operational Stress First Aid (COSFA) will be offered in conjunction with BUMED. Many of the techniques used in treating COS are applicable to the care of victims of sexual assault.

Mental health. Mental health services are provided through BUMED. There will be continued effort to reduce the stigma for seeking help.

Counseling. Counseling for victims will continue to be provided at Navy medical, Fleet and Family Support Centers, and with Chaplains.

Fiscal Year (FY) 2009 Sexual Assault Prevention and Response (SAPR) Program Review Data Call for Sexual Assaults in the Military

Part 3. UNITED STATES MARINE CORPS

Executive Summary

Fiscal Year 2009 has seen significant action and focus in the Marine Corps Sexual Assault Prevention and Response (SAPR) program:

- Executive Off-Site brief (Senior Leaders, LtGen-Gen)
- DON Strategic Plan
- Indoctrination of select General Officers at DON SAPR Summit
- Marine Corps SAPR Operational Planning Team (OPT) and 30/90/180-Day Plan development
- Inspector General of the Marine Corps (IGMC) Sexual Assault Program Review
- Testimony before House Armed Services Committee Military Personnel Subcommittee
- Coordination with TECOM to develop Values-Based Training
- Staffing authorization for fifteen Installation SAPR Program Managers
- Release of “CHOICES,” the Marine Corps SAPR video training supplement
- Chartered a Sexual Assault Executive Steering Committee and Working Group
- Development of a USMC Strategic Communications Plan
- Issued two Commandant of the Marine Corps (CMC) “White Letters”

Marine Corps SAPR is a command responsibility. Sexual Assault Response Coordinators (SARCs) work directly for their unit commanders. Upon report of a sexual assault, the Uniformed Victim Advocate (UVA) assigned to the case works for the victim, based on victim desires, and reports directly to the SARC. Hence, the “chain of command” for supporting victims of sexual assault starts with the UVA, who reports to a SARC, who reports to a senior commander (General Courts Martial Convening Authority or GCMCA).

During 2009, the Marine Corps revitalized its “Mentors in Violence Prevention – Marine Corps” (MVP-MC) train-the-trainer program at the Staff Non-Commissioned Officer Academies. Since 1996, MVP-MC has been delivered to Sergeants through Gunnery Sergeants (E5–E7) as a tool against inter-gender violence. Bystander intervention (i.e. the concept of using witnesses to precursor behavior in order to promote positive outcomes) is the foundation of MVP-MC.

The Marine Corps participated with Office of the Secretary of Defense (OSD) Sexual Assault Prevention and Response Office (SAPRO) in their sponsored “Men Can Stop Rape” program for the “My Duty” social marketing campaign. Launched in conjunction with Sexual Assault Awareness Month 2009, the “My Duty” campaign is forceful enough to stand alone as an ongoing effort. Plans call for annual updates to maintain currency.

The Marine Corps has developed strategic communications that reinforce our Core Values in all aspects of Marine life. These should help dispel myths surrounding sexual assault, encourage training of Marines in effective bystander intervention, and serve to underscore our commitment to be the nation's prevention and risk reduction benchmark. This approach affirms our belief that attention to basics is the most effective means of combating undesirable behavior, that small-unit leadership is key, and that empowering our Non-Commissioned Officers as true mentors and teachers to the junior Marines they lead is the ultimate solution.

1. Program Overview

1.1.a. Authorizing Service regulations and/or instructions and dates of publication. The Marine Corps SAPR Program is governed by Marine Corps Order (MCO) 1752.5A, "Sexual Assault Prevention and Response (SAPR) Program," published 5 Feb 08. Additional guidance is published occasionally by the Commandant in the form of White Letters to commanders, or in All-Marine (ALMAR) General-Service (GENSER) message traffic to the Corps as a whole. Amplifying guidance or implementing instructions may be published from time to time by Deputy Commandants acting on behalf of the Commandant of the Marine Corps, using Marine Administrative (MARADMIN) GENSER messages.

1.1.a.1. Pertinent White Letters currently in effect are:

- 03-05, Collateral Misconduct in Sexual Assault Cases
- 02-09, Commanders' Responsibilities in Addressing Sexual Assault
- 03-09, Sexual Assault Guidance to Our Legal Community

1.1.a.2. Pertinent ALMARs currently in effect are:

- 013/04, Expectation of Ethical Conduct

1.1.a.3. Pertinent MARADMINs currently in effect are:

- 172/01, Personal Services - Interim Guidance
- 209/04, Marine Corps Criminal Offense Reporting and Disposition Policy
- 534/04, Chaplain Training on Sexual Assault Prevention and Response
- 248/05, Sexual Assault Response Coordinator (SARC) Training
- 490/05, Sexual Assault Case Disposition and Administrative Separation Review Level
- 564/06, Staff Judge Advocate (SJA) Sexual Assault Data Input Responsibilities
- 591/06, Pocket Leaders Guide for Managing Marines in Distress
- 112/07, Marine Corps Combat Operational Stress Control (COSC) Program
- 434/08, 2007 Marine Corps Climate Assessment Survey (MCCAS)
- 0112/09, Warfighter and Family Services (WFS) and Morale Welfare And Recreation (MWR) Program Category Change
- 0224/09, National Sexual Assault Awareness Month (SAAM)
- 0328/09, Inspector General of the Marine Corps (IGMC) Sexual Assault Prevention and Response (SAPR) Program Review

1.1.b. Definitions of terms or acronyms used

1.1.b.1. Terminology used in the Marine Corps program is generally consistent with that used Department-wide, with the following additions:

Command SARC. The Sexual Assault Response Coordinator (SARC) appointed by the command's Commanding General, Installation, or Marine Air Ground Task Force Commander. The highest echelon command appointed SARC.

Installation SARC. The Installation SARC is responsible for tracking services provided to the victim from initial report of a sexual assault, through disposition and resolution of the victim's health and well being. The Installation SARC has oversight responsibility for the Victim Advocate; serves as chairperson of the case management review group; and provides regular updates to the installation commander. The Installation SARC may assist local tenant commanders in meeting annual sexual assault prevention and response training requirements. Note that installations are also commands.

Uniformed Victim Advocate. UVAs shall be appointed from the grade of Staff Sergeant or higher. UVAs will provide deployed Marines and attached Sailors who are victims of sexual assault with information, guidance and support. UVAs are available whenever a sexual assault occurs to provide victims with crisis intervention, safety planning, and support during medical exams and court proceedings.

Unit SARC. The Unit SARC is normally appointed by the commander of a large deploying maneuver formation, and performs the same functions as the command-level SARC, minus those normally performed by installation SARCs. The Unit SARC is responsible for tracking services provided to the victim from initial report of a sexual assault, through turnover of the case to the appropriate non-deployed SARC. The Unit SARC has oversight responsibility for the Uniformed Victim Advocate; tracks disposition of sexual assault cases within their area of responsibility; and provides regular updates to the commander. The Unit SARC is responsible for assisting commanders in ensuring completion of annual sexual assault prevention and response training requirements.

1.1.b.2. Acronyms (with definition) used in the Marine Corps program are:

AIRS- Automated Inspection Reporting System; the system by which IGMCM (see below) publishes and maintains inspection checklists used for assessment of commands and direct-reporting units.

BEQ- Bachelor Enlisted Quarters; housing for unmarried, or "geographic bachelor" (unaccompanied) enlisted Marines and sailors assigned to Marine units. Formerly known as "Unaccompanied Enlisted Personnel Housing."

EAS- Expiration of Active Service; date of release from active duty to a reserve component. Not to be confused with ECC, which denotes the end of an enlistment contract, generally thought of as "discharge date."

IRR- Individual Ready Reserve; one of the two classes of reserve considered to be the “Ready Reserve,” comprised of non-drilling members subject to mobilization.

IGMC- Inspector General of the Marine Corps; the Marine Corps name for the Deputy Naval Inspector General for Marine Corps Matters.

JAM- Judge Advocate Division, Military Law Branch

LSSS- Legal Support Services Section; the office providing legal support to commanders and the military justice system aboard USMC installations.

MCMEDS- Marine Corps Medical Entitlement Data System; a data system used to record eligibility of separating members for continued medical care/treatment after EAS or discharge.

MCO- Marine Corps Order; the Commandant’s method of providing specific direction to the Marine Corps.

MFS- Marine and Family Services; the Headquarters agency within Personal and Family Readiness Division of the Manpower and Reserve Affairs Department responsible for management and oversight of community services-based programs within the Marine Corps.

MOS- Military Occupational Specialty; individual’s job identification code. MOSs are organized into communities of related employment specialties, called “Occupational Fields.”

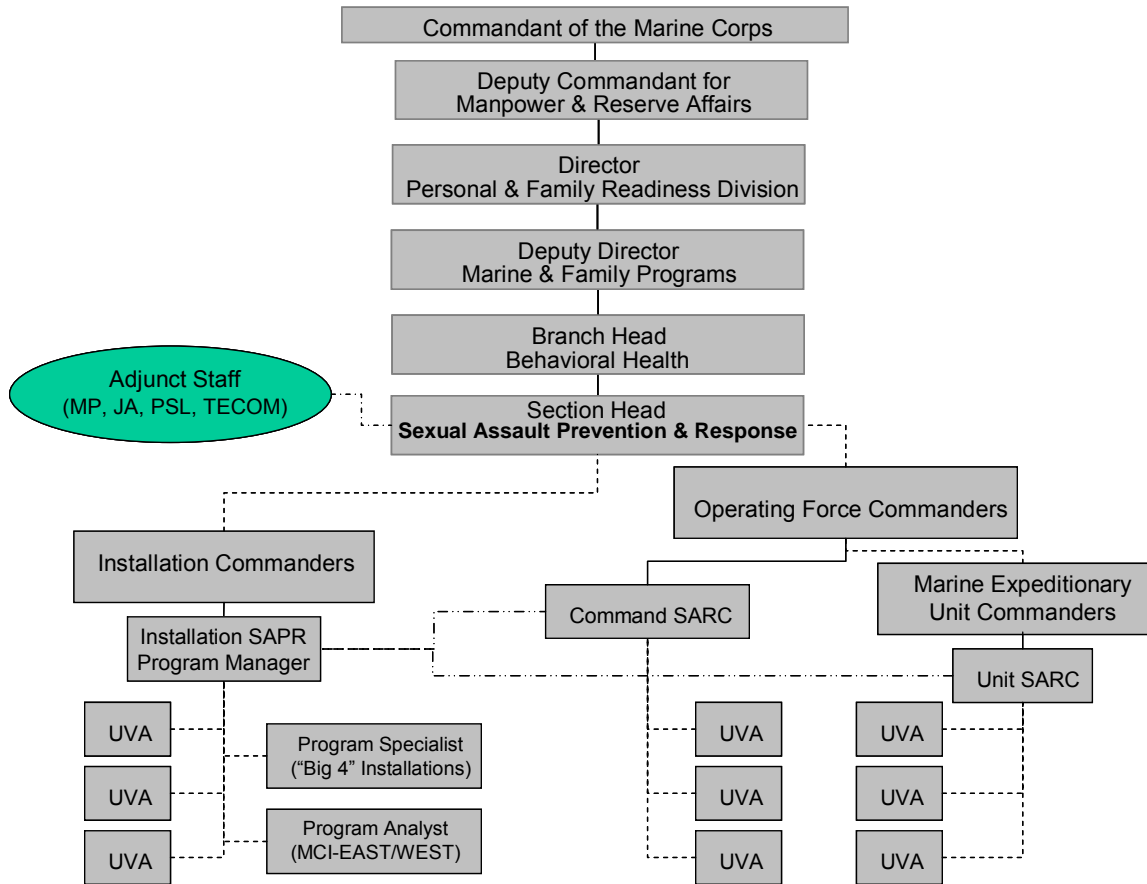
SAIRD- Sexual Assault Incident Reporting Database; the Marine Corps Sexual Assault Prevention and Response Section’s means of internally recording and tracking reports of sexual assault received from non-law enforcement members of the Sexual Assault Response Team (SART).

SMCR- Selected Marine Corps Reserve; one of the two classes of reserve considered to be the “Ready Reserve,” organized into units of regularly-drilling members.

TECOM- Training and Education Command; the agency within the Marine Corps Combat Development Command charged with development and maintenance of approved training and other programs of instruction for Marines. TECOM also has responsibility for Marine detachments administering to students at joint schools and tenant Marine schools located aboard another Service’s installation.

UVA- Uniformed Victim Advocate; military member trained to provide victim advocacy services to sexual assault victims in deployed environments.

1.1.c. General organizational structure of SAPR program:



1.1.c.1. The Marine Corps SAPR program is victim-centric, in that the direction each reported case takes depends in large part on the desires of, and the choices made by, the victim. Commanders are responsible for effective execution of their SAPR program. At the General Court-Martial Convening Authority (GCMCA) level, this responsibility is discharged by the Command or Installation SARC (see 1.1.b.1 above).

1.1.c.1.a. The Marine Corps' organization into Operating and Supporting Establishment elements is reflected in the normal duties of each. Operating force commands are normally supported by installations that provide the services required to maintain them in garrison. Services provided include the entire range of support and victim services required to effectively respond to sexual assault; therefore, the Installation SARC has a different focus than the Command SARC, who is responsible to their commander for administrative oversight of subordinate unit programs, management of cases reported by the command, and for ensuring the conduct of required training.

1.1.c.1.b. The operating force (Marine Expeditionary Force, or MEF) normally does not deploy in total, but rather as task-organized Marine Air Ground Task Forces (MAGTFs) tailored for specific missions and under operational control (OPCON) of the Combatant Command to which deployed. Each MAGTF, organized into Command, Ground Combat, Air Combat, and Combat

Logistics element, deploys with a SARC specially-trained to provide SARC functions for command and subordinate element UVAs (see 1.1.b.1 above) while the MAGTF is deployed. Upon return to the operating force commander's control, MAGTF SARCs stand-down and transfer pending cases to their Command SARC, who coordinates continuing case management with the Installation SARC.

1.1.c.1.c. Remote and isolated units, and other formations that may deploy in large detachments, may have a Unit SARC assigned upon request of the commander, at the discretion of the responsible GCMCA.

1.1.c.1.d. SARCs work directly for their commanders. Upon report of a sexual assault incident, the assigned UVA reports directly to the SARC on matters concerning the case to which assigned. The UVA works for the victim, based on victim desires, when matters concerning their support or treatment arise. Hence, the "chain of command" upon report of a sexual assault goes thusly: UVA to SARC to senior commander (GCMCA).

1.1.c.2. Marine Corps victims' reporting options and protections are the same in forward-deployed environments, to include combat zones, as they are in non-deployed environments with two exceptions: (1) Due to our expeditionary nature, the Marine Corps does not deploy civilian Victim Advocates – it deploys UVAs only; and (2) Sexual Assault Forensic Examination (SAFE) Kits are not held at all Medical Treatment Facilities (MTF) in deployed or combat environments. If a victim elects forensic examination, Naval Criminal Investigative Service (NCIS) provides the kit to the MTF and establishes a chain of custody.

1.1.d. Other personnel involved and their roles.

1.1.d.1. Chaplain support for the Marine Corps is provided via the U.S. Navy Chaplain Corps. Chaplains are assigned to every Marine Corps installation, as well as to all deploying formations at the Special Court-Martial Convening Authority level and higher. Chaplains provide the full range of pastoral counseling and care that accompanies privileged pastor-penitent communications.

1.1.d.2. Medical support for the Marine Corps is provided by the U.S. Navy's Bureau of Medicine and Surgery (BUMED), which operates various Naval Medical Centers, Hospitals, Branch Clinics, and Clinics at most Marine Corps installations. Additionally, similarly to Chaplains, medical personnel are assigned to every Marine Corps command, including Marine detachments in the formal schools system and most reserve commands.

1.1.d.3. The military criminal investigative organization (MCIO) that normally investigates felony crimes committed on Marines, by Marines or aboard Marine installations is the Naval Criminal Investigative Service (NCIS). The results of their investigations are generally used in a commander's consideration of whether to refer a case to an Article 32 investigation or dispose of it in some other fashion such as a Special or Summary Court-Martial, or non-judicially through Article 15, UCMJ (known as Non-Judicial Punishment or NJP).

1.1.d.4. Crimes not immediately apparent as felonious may be investigated by the Criminal Investigation Division (CID) of the installation's Provost Marshall's Office (PMO). These investigations may later be referred to NCIS, if so indicated during development of the fact pattern. Incidents investigated by CID may be disposed through non-judicial punishment, or adjudicated by Special or Summary Court-Martial, but are only very rarely sent to a General Court-Martial without first being referred to NCIS and the Article 32 process.

1.1.e. Other. Counseling services for victims are provided via Marine Corps Community Services.

2. Prevention Initiatives

2.1. Please describe the policies, procedures, and initiatives implemented or advanced during FY09 to prevent sexual assault, including but not limited to:

2.1.1. Efforts by your Service to promote a culture of prevention

2.1.1.a. Since 1996, the Marine Corps has used the Mentors in Violence Prevention – Marine Corps program, developed by Dr Jackson Katz of MVP Strategies, Inc., as a “train-the-trainer” resource delivered to Sergeants through Gunnery Sergeants (E-5 – E-7) for use in small unit leadership settings as a tool against inter-gender violence. Bystander intervention, the idea that those who witness “precursor” social behavior are best-positioned to positively influence the outcome, is the foundation of the Mentors in Violence Prevention concept. Beginning in 2005, MVP Strategies, Inc. was engaged to update the Mentors in Violence Prevention – Marine Corps program to widen the program's focus to include all inter-personal violence in particular, and unhealthy or risky behaviors, such as “binge drinking” or promiscuity, in general.

2.1.1.b. There have been a number of senior leadership engagements in FY 2009:

- Executive Off-Site brief (senior leaders, O9-O10)
- Indoctrination of nineteen select General Officers at DON SAPR Summit
- APMC-sponsored Marine Corps SAPR Operational Planning Team (OPT)
- Inspector General of the Marine Corps Sexual Assault Program Review
- Staffing authorization for fifteen Installation SAPR Program Managers
- Charter of a Sexual Assault Executive Steering Committee and Working Group and 30/90/180-day plan development
- Development of the USMC Strategic Communications Plan
- Issuance of two Commandant of the Marine Corps' White Letters

2.1.2. Education and training initiatives

2.1.2.a. Marine Corps Common Skills Program. All Marines in the grades of Gunnery Sergeant (E7) and below are required to certify their maintenance of certain military skills annually by completing the Common Skills Test. The test contains questions randomly selected from a pool of questions that relate to sexual assault prevention and response and evaluate their mastery of required annual training.

2.1.2.b. “Sex Signals” Program. Catharsis Productions, a nationally-recognized provider of innovative training delivered in a quasi-improvisational performance format, presented their original “Sex Signals” package to Marine audiences 15 times, exclusive of several visits to Kuwait and Iraq. With an average of 250 Marines per session, almost 4,000 Marines in 2009 were exposed to this engaging, myth-shattering exercise in effective inter-gender communications.

2.1.2.c. Staff Non-Commissioned Officer (SNCO) Academies. The Marine Corps revitalized its MVP-MC train-the-trainer program at the Staff Non-Commissioned Officer Academies in 2009, enabling 95 SNCOs to lead bystander intervention training among the junior Marines in their local units. MVP-MC is designed to give all Marines the tools required to effectively influence bystander behavior in potentially-negative social situations, so that positive outcomes result.

2.1.2.d. The Marine Corps released a prevention and awareness video, “CHOICES,” to coincide with the kick-off of Sexual Assault Awareness Month in April. The video is intended to supplement the instructor-led training provided to all Marines on at least an annual basis. The video includes an overview of the program, definitions, response personnel, and reporting procedures. It is designed to facilitate discussion, especially among junior Marines and Company-grade officers. The video also includes victim testimonials that illuminate the terrible, lasting and far-reaching effects sexual assault can have. Of particular note, the only professional actors used appear in a fictional scenario introducing the video. Shot on location in Quantico and at select Marine Corps installations, all other appearances in the video are by actual Marines or sailors, thus increasing the impact and retention potential among Marine viewers.

2.1.2.e. Values-based Training. Beginning in March, a working group with the Ground Training Branch (GTB) of Training and Education Command (TECOM) was formed to develop revisions to recruit training that would bring sexual assault and other behavioral-health-related training into line with the existing Core Values Training then being delivered to recruits. A workshop was held at the Marine Corps Recruit Depot, Parris Island SC in June. The resulting curriculum was refined by GTB, approved by TECOM, and offered to the Recruit Training Regiments at each Depot for inclusion in the recruit program of instruction as a replacement for Core Values Training. The new curriculum is called “Values-Based Training” and focuses on the whole character of new Marines and inculcates an integrated vision of expectations regarding behavior, both on and off-duty.

2.1.2.f. Distance Learning for Leaders. Understanding the nature of competing requirements and the need for focused attention on the role of leaders at all levels concerning supervision of junior Marines and the importance of role-modeling, an additional project was begun with GTB, to create a web-deliverable distance learning product for leaders that can be accessed anytime, anywhere with an Internet connection. This project began during the summer, and is still in development. A draft curriculum is in the review and approval stage, with construction/final acceptance expected in time for roll-out concurrent with Sexual Assault Awareness Month in April 2010.

2.1.2.g. Commanders’ Course. As a complement to the distance learning course for all leaders, a specific course of instruction is being developed for delivery to Special Court-Martial

Convening Authority level commanders (battalion, squadron or equivalent sized units and larger, generally Lieutenant Colonels and Colonels) during the semiannual Commanders' Course held at the Marine Corps University aboard Marine Corps Base Quantico.

2.1.3. Communications, social marketing, and media initiatives

2.1.3.a. "MyDuty" Campaign. The Marine Corps participated fully in development of the MyDuty campaign designed in consultation with Men Can Stop Rape, whose MyStrength campaign is widely recognized for its effectiveness. Launched in conjunction with Sexual Assault Awareness Month 2009, the MyDuty campaign is forceful enough to stand alone as an ongoing social marketing effort. Current plans call for annual updates to maintain freshness.

2.1.3.b. Sexual Assault Awareness Month (SAAM). The Marine Corps continues to participate fully in development of themes, plans, and marketing campaigns in support of SAAM, as it has since 2005, the first full year of operation for the Sexual Assault Prevention and Response Section

2.1.3.c. Marine Corps SAPR Strategic Communications Plan. Developed as an outgrowth of the USMC SAPR OPT (see 2.1.4.a below) to facilitate education of leaders at all levels as to the myths and facts surrounding sexual assault, encourage training of Marines in effective measures for bystander intervention to prevent or mitigate the social conditions conducive to sexual assault, and demonstrate our commitment to service as the nation's prevention and risk reduction benchmark, the Marine Corps embraces strategic communications that target reinforcement of our Core Values at every turn, in all aspects of Marine life. These strategic communications affirm our belief that attention to basics is the most effective means of combating undesirable behavior; that small-unit leadership is the key to cultural change, and that empowering those in closest contact with the most at-risk population, our Non-Commissioned Officers, to become true mentors and teachers to the junior Marines they lead is the ultimate solution.

2.1.4. Work done to implement or support the Department's Sexual Assault Prevention Strategy

2.1.4.a. Operational Planning Team (OPT) with Recruit Training Regiment. As mentioned earlier, a workshop was conducted with representatives from the Ground Training Branch and the Recruit Depot at Parris Island SC to revise the program of instruction conducted in recruit training in order to better support the DoD prevention strategy as expressed in the 30 Sep 2008 document prepared under OSD-SAPR contract and presented to the Under Secretary of Defense for Personnel and Readiness.

2.1.4.b. Marine Corps SAPR OPT. At the close of the Department of the Navy's SAPR Summit in September, Marine Corps senior leadership conducted a one-day workshop with the intent of producing a broad plan for future work at the senior leader level. The workshop, sponsored and chaired by the Assistant Commandant of the Marine Corps (ACMC) and led by an operational-force commander, conducted a mission analysis with the prevention strategy at its focus. Output of the OPT included an outlined plan for further refinement, recommendation for establishment of an Executive Steering Committee (assisted by an Executive Working Group at the Col/SgtMaj

level), and Service Chief oversight at the 30/90/180-day marks for validation or possible refinement of guidance.

2.1.4.c . Sergeant Major of the Marine Corps (SMMC) Sexual Assault & Family Support Conference. An additional output of the OPT mentioned above was the recommendation that the SMMC demonstrate the same level of interest in solving this issue to the enlisted rank structure by hosting a conference. This conference will specifically examine ways the enlisted leadership can support the prevention strategy and advance the intervention and risk reduction training being developed and conducted, and make recommendations for consideration of senior leadership. The same subject matter experts who provided detailed information and assistance at the SAPR OPT will be available for this conference, currently scheduled for mid-December.

2.1.5. Subject Matter Experts consulted and involved (at a Service level)

2.1.5.a. MVP Strategies, Inc.

2.1.5.a.1. Jackson Katz, PhD (Principal)

2.1.5.a.2. Daryl Fort (Facilitator, former Maine Director of Community Development)

2.1.5.a.3. Jeff O'Brien (Facilitator)

2.1.5.b. Catharsis Productions

2.1.5.b.1. Gail Stern (Co-founder, Education Director)

2.1.5.b.2. Christian Murphy (Co-founder, Artistic Director and Director of Operations)

2.1.5.c. Anne Munch, Esq. (faculty, American Prosecutors Research Institute)

2.1.5.d. David Lisak, PhD (Assoc. Professor of Psychology, Univ. of Massachusetts (Boston))

2.2. Please describe any plans in place at the conclusion of FY09 for Service actions slated for FY10 related to the prevention of sexual assault

2.2.a. Sergeant Major of the Marine Corps (SMMC) Sexual Assault & Family Support Conference. Tentatively scheduled for mid-December, the Sergeant Major of the Marine Corps will host a conference of Force-level Command Sergeants Major and their spouses to consider initiatives specifically targeting sexual assault and other family support topics, and develop recommendations for consideration by senior leadership.

2.2.b. SAPR Program Specialists. The SAPR Program Managers at the three USMC regional commands (MCI-EAST, MCI-WEST, MCB Japan) will be assisted by Program Specialists whose prime mission is to develop and manage relationships with local resources, plan and execute regional marketing campaigns to enhance awareness, and coordinate the activities of the various stakeholders from the sexual assault response community as they relate to responding to victim needs.

2.2.c. SAPR Program Analysts. The SAPR Program Managers at MCI-EAST and MCI-WEST will additionally be assisted by Program Analysts whose primary function will be to analyze data concerning reported sexual assaults and identify/track any trends. They will also assist in the conduct of research

3. Response Initiatives, Capabilities, and Challenges

3.1. Please describe the policies, procedures, and initiatives implemented or advanced during FY09 to respond to or improve the response to allegations of sexual assault

3.1.a. Installation SAPR Program Managers. Staffing authorization actions were completed for hiring of fifteen Installation SAPR Program Managers. This initiative was modeled after the USAF staffing metric of providing a fulltime SARC for each installation with more than 1,000 service members assigned. The SAPR Program Managers will be responsible for administering the program aboard their installation, designing and delivering training tailored to unit needs, coordinating and liaising between service providers both on and off base, and executing an effective local community outreach program.

3.1.b. Revision to Policy Directive. The Marine Corps Order governing the SAPR program within the Marine Corps (MCO 1752.5A) is under revision. Several recent changes to Marine Corps implementation of the program indicated need for several refinements to, amplifications of, or creation of new, policy. These changes are all designed to improve response to victims, reinforce effectiveness of training, and enhance accountability.

3.1.c. Judge Advocate Division (JA). JA Division has been actively engaged in improving the quality of sexual assault litigation and support to victims in FY 09. The Staff Judge Advocate to the Commandant of the Marine Corps (SJA to CMC) has been instrumental in this process throughout the year, personally participating in the recent DON Sexual Assault Summit and the subsequent Marine Corps' Operational Planning Team. In addition, the SJA to CMC has dedicated the Deputy Branch Head, JAM as the permanent judge advocate liaison to the USMC SAPR Office. This field grade officer has been actively involved with SAPR policy development and attorney training at every level from OSD-SAPRO working groups and the Department of the Navy, Sexual Assault Advisory Counsel working groups (DON SAAC) to the individual trial counsel or legal support personnel in the Marine Corps. JA Division currently has several outstanding projects to improve sexual assault litigation and support to victims including, 1) a proposal to hire a sexual assault litigation expert to improve sexual assault litigation across the Corps and provide continuity in the JA Division, SAPR liaison section; 2) development of a joint interactive training program for the improvement of sexual assault litigation; and 3) a proposal to develop a Marine Corps Trial Counsel Assistance Program at JAM to enhance overall litigation support to the field.

3.2. Steps taken to publicize reporting options or encourage the reporting of sexual assault by Service members, including but not limited to:

3.2.1. The number of personnel trained to be “first responders” to sexual assaults (including criminal investigators, law enforcement, medical personnel, judge advocates, VAs, SARCs, and chaplains)

3.2.1.a. Criminal Investigators – NCIS provides MCIO support; see Navy input.

3.2.1.b. Law Enforcement – 115 USMC CID agents received baseline SAPR training.

3.2.1.c. Medical Personnel – U.S. Navy (BUMED) provides medical support; see Navy input.

3.2.1.d. Judge Advocates – 137 SJAs received refresher training.

3.2.1.e. Victim Advocates – 834 uniformed and civilian victim advocates were trained

3.2.1.f. SARCs – 72 full-time civilian and collateral-duty SARCs were trained.

3.2.1.g. Chaplains – 166 of 288 Chaplains have completed sustainment training.

3.2.2. Efforts to provide trained personnel, supplies, and transportation to deployed units to provide appropriate and timely response to reported cases of sexual assault

3.2.2.a. Uniformed Victim Advocates (UVA). Because of our expeditionary nature, the Marine Corps does not employ civilian Victim Advocates in forward-deployed, non-permanent locations. All deploying Marine formations at the battalion, squadron, or equivalent-sized unit level are required by Commandant of the Marine Corps directive to deploy with at least two trained UVAs.

3.2.2.b. Unit Sexual Assault Response Coordinators (SARC). Units that routinely deploy large detachments in support of operations may, upon request of the commander and at the discretion of the General Court-Martial Convening Authority, deploy with a Unit SARC in addition to the UVAs organic to the organization. The Unit SARC's primary function is to provide the same SARC services to unit UVAs while deployed that the Command SARC would provide at the home duty station: senior command notification on Restricted Reports, database entry if required, tracking of services provided to victims, conduct of required unit training, etc.

3.2.2.c. Pre-deployment Training. Deploying Marine formations are required to conduct all-hands training specific to the Area of Responsibility (AOR) or theater in accordance with Department of Defense policy. This training is to include special emphasis on risk-reduction challenges within the AOR, cultural awareness training concerning the locations expected to be visited during the deployment, and procedures to be used in the event of an incident.

3.2.2.d. Field Expedience. In the combat area of interest, two process flowcharts were developed to distribute as reference sheets for all agencies and units covered under MNF-W. The most important task was to initiate contact with new units very shortly after arrival, and thereafter maintain good contact information and communication with all organizations involved in sexual assault response and reporting.

3.2.3. Information regarding supply inventory results, as well as the location/availability of supplies, trained personnel, and transportation resources to support deployed units in responding to cases of sexual assault

3.2.3.a. The Naval Criminal Investigative Service holds Sexual Assault Examination kits for on-call use when necessary. In accordance with BUMEDINST 6310.11, continuous capability to

provide victim services and perform SAFEs is required, regardless of location. Availability of transportation to support response for victims in deployed units is always contingent upon safety, operational necessity, environmental conditions, and tasking/sortie rate of platforms.

3.2.4. Information regarding the number of victims whose care was hindered due to lack of available Sexual Assault Forensic Examination (SAFE) kits or other needed supplies

3.2.4.a. No victim care was hindered because of a lack of SAFE kits. The number of nurses available to perform exams for sexually assaulted victims minimally impacted care. Additionally, victims were sometimes left to wait in the main ER room with all of the other patients. This was upsetting to them and the VAs. We addressed this issue with the Hospital and resolved the problem. A special room has been set aside for SA victims.

3.2.5. Information regarding the number of victims whose care was hindered due to the lack of timely access to appropriate laboratory testing resources: None

3.3. Please discuss Unrestricted and Restricted Reporting process challenges encountered, as well as the solutions your Service developed and implemented, during the past fiscal year within the context of:

3.3.1. Joint environments

3.3.1.a. Joint Basing. The one case to date at a joint-basing training command was a student, and the assault was reported 3 weeks after the incident. The Marine Corps “tenant” command saw late reporting as a challenge caused by one of two reasons; making the victim feel comfortable coming forward, or SA program awareness. The “host” command has now incorporated a class on sexual assault as part of their welcome aboard brief to all students.

3.3.1.b. Combatant Commands. None reported.

3.3.2. Combat Areas of Interest

3.3.2.a. Not all units arrived in theater with the required number of UVAs/SARCs trained and assigned as directed. MNF-W took advantage of quarterly UVA and DSARC training conducted by MNC-I at Victory Base Camp in Baghdad.

3.3.3. Tracking victim services

3.3.3.a. Recruiting Environment. It is difficult to get contact information when the victim is a minor or is not in the USMC.

- The purpose of the contact is to make sure that local civilian advocacy has been provided and that the victim knows there is an advocate on the base where the military legal process will take place.

- If the victim doesn't want an advocate through the legal process, we may not know the outcome of the case until legal is contacted.

3.3.4. Restricted Reporting in any environment

3.3.4.a. Recruiting Environment. In the recruiting world there have been no restricted cases and may never be.

- It is usually the command who finds out about an incident first, or the local police.
- UVAs normally contact victims to offer assistance and try to direct them to the correct local entities.
- California still requires medical authorities to report to law enforcement, making restricted reporting limited to “support services only” until their laws change.

3.3.4.b. California's mandatory reporting laws severely hinder successful application of the Restricted Reporting option for victims who seek services in California. This also impacts victims from Arizona for whom the nearest military treatment facility is in California. Senior Marine Corps leadership intends to engage on this issue.

3.3.5. Other (Please explain)

3.3.5.a. Recruiting Environment. The majority of cases in the recruiting world are not Marine-on-Marine incidents. During the last year, only one has been reported. Most of the victims are civilians who are applicants or poolees. Process issues include:

- Ensuring units follow the process. Commands with the best intentions still start internal investigations before contacting the SARC or the UVA. The SARC has spoken at the Commanders Conference and stressed their reporting responsibilities.
- UVAs have a difficult time assisting civilian victims. UVAs contact them initially and offer reference to local care facilities, but more often than not victims want NO other contact from the UVA.

4. Program Oversight Activities

4.1. Please provide a description of how your Service executes its oversight of the SAPR program. Please include a synopsis of the formal processes, participants, and data collection activities that support oversight of the program

4.1.a. Sexual Assault Incident Reporting Database (SAIRD). Frequent reviews of submitted reports in SAIRD assist in validation of the data collected. Certain fields are mandatory, and reports are required to be submitted as “final” within 30 days, to allow for collection of information that may not be immediately available when an incident first occurs. A report of delinquency is forwarded monthly to each SARC with oversight responsibility for those reports.

4.1.b. Command/Unit Inspection Program (CIP/UIP) conducted by the Inspector General of the Marine Corps (IGMC). All Marine Corps reporting units (formations with Joint Operational Planning and Employment System (JOPEs) Unit Identification Codes (UIC)) are inspected with a fair degree of rigor either triennially for formations under command of a General Court-Martial Convening Authority or biannually for formations reporting directly to a Deputy Commandant as staff agencies of Headquarters, U.S. Marine Corps. The inspections are conducted by subject matter experts drawn from throughout the Marine Corps, using checklists developed by the various functional area program managers at Headquarters.

4.1.c. Sexual Assault Study conducted by Readiness Division, IGMC. From late-May through late-August the Readiness Division of IGMC led a worldwide study of sexual assault in the Marine Corps on behalf of the Naval Inspector General. The study team visited 29 Marine Corps installations and operating locations worldwide, conducted 169 focus groups comprised of over 1700 uniformed and civilian Marines, interviewed more than 500 individuals and conducted a web-based anonymous survey with over 40,000 respondents. Data analysis continues, and while a preliminary draft has been provided to leadership, the final report has not yet been submitted.

4.2. Please describe the oversight activities that have taken place during the past fiscal year with the methods or approaches you use to perform oversight, including but not limited to the documentation and outcomes of:

4.2.1 Participation in DoD Policy Assistance Team Visits

4.2.1.a Accession-level training at Marine Corps Recruit Depot Parris Island, SC. The Marine Corps Sexual Assault Prevention and Response Office provided subject matter expertise in participation with the Policy Assistance Team (PAT) visit to observe recruit training at the Marine Corps Recruit Depot, Parris Island SC in June. The PAT observed the newly-revised training that was partially a result of the Values-Based Training OPT mentioned earlier.

4.2.1.b Commander training at Marine Corps Base Quantico, VA. In October, the PAT visited the Commanders' Course conducted by the Marine Corps University at Marine Corps Base Quantico. This evolution was a pilot intended to incorporate the features common to all behavioral health issues into one holistic approach. The final report of this team visit has not yet been submitted for comment.

4.2.2. Program management reviews

4.2.2.a. Command/Unit Inspection Program (CIP/UIP) conducted by the Inspector General of the Marine Corps (IGMC). Please refer to response 4.1.b, above.

4.2.2.b. Sexual Assault Study conducted by Readiness Division, IGMC. From late-May through late-August the Readiness Division of IGMC led a worldwide study of sexual assault in the Marine Corps on behalf of the Naval Inspector General. Please refer to response 4.1.c, above.

4.2.3. Available results or common findings and recommendations of Inspector General (IG) inspections of the program

4.2.3.a. Trends. All commands and direct-report units inspected thus far, except one, have been found Mission Capable, indicating compliance with the letter of directive guidance. Public display of current contact information for responders (SARC, UVA) has been inconsistent. Not all commanders have issued policies regarding mandatory use of The Commander's Protocol for Responding to Allegations of Sexual Assault. Many units have not been conducting training that complies fully with directive; relying on mass, "all hands" training events based on briefing slides, rather than on small group guided discussion using scenarios. Component commanders have not been asked to verify oversight of pre-deployment training by the Combatant Commands to which they furnish forces.

4.2.4. Steps taken to address recommendations from past external oversight activities, such as those performed by Government Accountability Office (GAO) or DoD/Service IG

4.2.4.a Government Accountability Office engagement # 351324 & 351062. The following enhancements to existing programs and policies were in development and/or being implemented prior to and/or during GAO 351062, and will be completed as noted.

- Sep 09-Oct 09 – Assistant Commandant-directed SAPR Operational Planning Team completed and briefed to Oct 09 Marine Corps General Officer Symposium. Results include establishment of an Executive Steering Committee under the direction of the Assistant Commandant, chaired by an operational Force commander, and supported by an Executive Working Group comprised of Col/Sgt Maj-level subject matter experts from throughout the Marine Corps.
- Aug 09 – Began process to establish billets and assign SAPR Program Managers at installations with troop concentrations at or above 1,000 Marines. The SAPR Program Managers are being recruited and trained.
- Jun 09 – A complete revision to Marine Corps Order (MCO) 1752.5A, "Sexual Assault Prevention and Response" (as opposed to a Change) is in progress, and will reflect recent changes to Department of Defense Directive (DoDD) 6495.01 and Department of Defense Instruction (DoDI) 6495.02. Complementary changes to the IGMC's Automated Inspection Reporting System (AIRS) checklist are also in coordination.

4.2.4.a.1. SAPR training takes place in four primary environments; responder, accession, annual and awareness, and in professional military education (PME). Training program enhancements, some of which are currently in-progress, have been programmed for:

- Accession training. Revisions to Core Values training at boot camp and Officer Candidate School (OCS) incorporate a personal responsibility-focused value system under an umbrella curriculum called Values-Based Training. Values-Based Training is in use at boot camp and being introduced at OCS.
- The Office of the Deputy Commandant for Manpower & Reserve Affairs (DC M&RA) Personal and Family Readiness Division, Marine and Family Services Branch, SAPR

Section (MRRS) is a contributing participant to the Values-Based Training development working group in partnership with Training and Education Command's (TECOM) Ground Training Branch.

- Annual Training revisions focus on reinforcement of the Values-Based Training begun in boot camp, through small-group interaction and scenario-driven role playing emphasizing bystander intervention.
- SAPR Awareness training will include a variety of delivery formats incorporating adult learning theory proven effective with the target demographic, i.e., first term Marines, Corporal and below, aged 18-24. Bystander intervention training will also be evaluated as part of the IGMC inspection program.
- The Mentors in Violence Prevention (MVP) program provides the foundation for the PME Values-Based Training; the “sustainment” phase of the curriculum. This phase reflects a tiered approach keyed to each level of responsibility. The “sustainment” phase will begin with development of a distance learning product targeted for publication by Mar 2010.

4.2.4.a.2. Secretary of the Navy (SECNAV)-directed review concluded in Sep 08. Consistent with review findings and available resourcing, the Marine Corps has begun “porting” training into media consistent with adult learning theory (Internet, Podcast, etc.), beginning with development of a distance-learning course for small unit leaders; and will begin developing audience-specific training (leader, commander, individual). This approach recognizes that one-third of the Marine Corps is in transit at any given time – either between duty stations, en route to or from training, transitioning to or from civilian life, deploying or redeploying. Leveraging media to augment “in person” training increases the probability that 100% of the Corps will complete annual SAPR training.

4.2.4.a.3. The Marine Corps participated in the joint working group that drafted the Defense Sexual Assault Integrated Database (DSAID) design concept. The working group included SAPR, investigative and legal subject matter experts (SME) from all four services; as well as OSD, Joint Staff, and Reserve and National Guard representatives.

4.2.4.a.4. The Services have always collaborated on SAPR program development and administration. The OSD Sexual Assault Advisory Council (SAAC) Subcommittees also provide a forum for joint collaboration. As necessary, the SAAC Subcommittee Co-Chairs may also form joint working groups under the aegis of the appropriate SAAC Subcommittee to identify and develop solutions to these common issues. The SAAC Subcommittees or their respective working groups have studied and/or developed joint solutions to a variety of issues

- A Policy and Accountability Subcommittee working group examined the issue of certifying eligibility of National Guard and Reserve component victims upon demobilization and recommended that line of duty determinations be based on victim preference statements. The recommendation was adopted.

- The Policy and Accountability Subcommittee’s Legal and Investigative Working Group established common definitions of data elements related to sexual assault investigations and case dispositions. These definitions were used when designing DSAID.
- At the request of the Joint Staff J-1 representative, the Policy and Accountability Subcommittee’s Joint Environment Policy Working Group recommended a series of policy changes to facilitate SAPR program support in the Combatant Commanders’ (COCOM) areas of responsibility (AOR).

4.2.4.b. DoDIG Project No. D2008-D000CE-0221 (ongoing). This project, begun in 2008, is believed to be the only one extant over the past fiscal year. Its subject concerns contractor sexual assault support in deployed environments. The final report has yet to be issued. The Marine Corps has no contractors forward deployed, although it makes every attempt to provide services for them when the need arises.

5. Research and Data Collection Activities

5.1. Please describe the research and data collection activities that have taken place within your Service during the past fiscal year. Please do not include the activities you have already discussed in the “Program Oversight Activities” section. The activities you discuss in this section should include but not be limited to:

5.1.1. The initiation or execution of any survey for the purpose of informing or improving Service SAPR programming, including highlights of available findings

5.1.1.a. Sexual Assault Study conducted by Readiness Division, IGMC. From late-May through late-August the Readiness Division of IGMC led a worldwide study of sexual assault in the Marine Corps on behalf of the Naval Inspector General. The study included a web-based anonymous survey, open from 1 June through 31 August. Over 40,000 Marines and sailors assigned to Marine units responded. Data analysis continues and, although a preliminary draft has been provided to Marine Corps and Department of the Navy leadership, the final report has not yet been released.

5.1.2. The initiation or execution of any empirical research or evaluation project to inform or improve Service SAPR programming, including highlights of available findings

5.1.2.a. Sexual Assault Study conducted by Readiness Division, IGMC. From late-May through late-August the Readiness Division of IGMC led a worldwide study of sexual assault in the Marine Corps on behalf of the Naval Inspector General. The study team visited 29 Marine Corps installations and operating locations worldwide, conducted 169 focus groups comprised of over 1700 uniformed and civilian Marines, and interviewed more than 500 individuals. Analysis of findings continues, and although a preliminary draft has been provided to Marine Corps and Department of the Navy leadership, the final report has not yet been released.

5.1.3. Formation of active partnerships with other Federal agencies, non-Federal agencies, and/or organizations for the purpose of research and evaluation in conjunction with SAPR program activities: None

5.1.4. Other

6. Discussion and Lessons Learned

6.1. Please provide a summary discussion of the progress made and challenges confronted by your Service in FY09, including but not limited to:

6.1.1. Lessons learned in FY09

6.1.1.a. California's mandatory reporting requirement continues to be a problem for victims wanting to make Restricted Reports in California. SOLUTION: Despite engagement of OSD-SAPRO by the California Coalition Against Sexual Assault (CalCASA) for assistance in promoting their position with the state's legislative Assembly, the statute remains unaltered.

6.1.1.b. Not all units arrived in Iraq with the required number of UVAs/SARCs trained and assigned as required by the MCO. SOLUTION: MNF-W took advantage of quarterly UVA and DSARC training conducted by MNC-I at Victory Base Camp in Baghdad.

6.1.1.c. Sexual assault victim late reporting (3 weeks) is a challenge. Late reporting seems generally caused by one of two reasons; victim not comfortable coming forward, or lack of SAPR program awareness. SOLUTION: Command incorporated SAPR training as part of the welcome aboard brief to students.

6.1.1.d. Recruiting Environment. Issues within Recruiting are different from a command where all units are centrally located. Additionally, the nature of the business and the environment increase opportunities for making poor decisions. Cases are more difficult to track because (1) the victims are usually civilians, (2) the local police often investigate vice NCIS, and (3) NCIS agents do not know the SARC and vice versa. Serving as a collateral duty SARC does not allow time to visit units and ensure the command is providing adequate training. SOLUTION: This issue has been resolved with the hiring of the SAPR Program Manager. However, because of California laws and how spread-out recruiters are, we need better connection with civilian counterparts.

6.1.1.e. Joint Command Environment. The following characteristics of one Marine Component Command are considered to be major obstacles to conduct of a SAPR Program to the fullest extent:

- The Command is located in a major metropolitan area not located aboard any military installation.
- There is no military medical treatment facility capable of performing a SAFE in the area. Combatant Command HQ has a clinic, but it is not staffed to perform SAFE.

- Personnel of this Marine Component Command reside throughout two very large counties.
- In these two counties there are in excess of 24 different civilian law enforcement agencies that could have jurisdiction in any particular sexual assault case. Negotiating Memoranda of Understanding (MOU) with all surrounding civilian law enforcement agencies is not practical.

The above circumstances make it extremely difficult to ensure the Restricted Reporting option is available to a Marine sexual assault victim. SOLUTION: To counter this, Marines of this Component Command have been advised that if at all possible, should they become a victim of sexual assault, they should contact either the Marine UVA or SARC as soon as practical. In taking this action, the UVA can become engaged soonest and attempt to provide all aspects of the Marine Corps' Sexual Assault Prevention Program as possible.

6.1.1.f. Uniformed Victim Advocates Work. The deployed UVAs maintain a critical role – there were two UVAs in 2d Marine Division who escorted victims from the AOR to CONUS this year in order to ensure safety, medical and counseling needs were met.

6.1.2. Status of FY09 plans described in last year's report

6.1.2.a. The Marine Corps embarked on several initiatives in a continuous improvement process for its Sexual Assault Prevention and Response program:

- The Marine Corps is in the final stages of acquiring and training fulltime civilian personnel to manage the SAPR program at its installations with a troop concentration of at least 1,000.
- The collateral duty billet of Sexual Assault Response Coordinator (SARC) has been identified on the Table of Organization and Equipment (TO&E) at four installations, and will be for each installation and command associated with a General Court-Martial Convening Authority. This will allow tracking of trained personnel as they move about the Corps and facilitate manpower management. Still in progress.
- The Sexual Assault Incident Reporting Database was revised to include the new data elements identified by the Sexual Assault Advisory Council for collection.
- The Marine Corps participates fully in continuing development of the "MyDuty" campaign promoting risk reduction and bystander intervention. This ongoing, annually updated campaign will again be featured during Sexual Assault Awareness Month 2010.
- Training development continues. "*CHOICES*," the USMC Sexual Assault Awareness video, has been converted to a web-delivered format and is in the process of becoming an

interactive training package to accompany presentation and to assist in documenting training completion.

6.1.2.b. Training for Trial Counsel. In the area of providing training for trial counsel prosecuting sexual assault cases, the Marine Corps has taken several steps in the past year. The USMC SAPRO Military Training Team (MTT), along with the Deputy Branch Head, JAM completed a world-wide tour of all Marine Corps regions to provide SAPR and sexual assault litigation training for all Marine judge advocates. JA Division also sent over 35 judge advocates to various continuing legal education (CLE) courses specifically targeting the litigation of sexual assault cases, purchased numerous publications and training materials for each Marine legal office to support local training initiatives, and is currently working on additional training projects detailed below:

- World-wide SAPR training for Judge Advocates: JAD and USMC SAPRO Mobile Training Team (MTT) conducted world-wide SAPR and sexual assault litigation training for all USMC Judge Advocates from October 2008 to May 2009. The course included separate periods of instruction on sexual assault victim responses, strategies for preparing victims for trial, sex offenders (including sexual assault types and prevalence), forensic evidence in sexual assault cases, preparation of expert witnesses, VWAP policy and procedures, and DoD and Marine Corps SAPR policy. The MTT provided training for Marine JA's in California, North Carolina, South Carolina, Colorado, Hawaii, and Okinawa and Iwakuni, Japan.
- Additional training initiatives for Marine JA's: In FY 09, JAD requested and received funding from DOD, Navy JAG and the DOJ Office for Victims of Crime (OVC) to improve ability to prosecute sexual assault cases and used/or is using funding for the following projects:
 - DOD SAPRO funded the Services for development of joint sexual assault litigation training for judge advocates. USMC used funds to contribute to a joint online training course (below), to purchase publications for sexual assault litigation, and to fund travel for judge advocates counsel to three sexual assault litigation courses.
 - Requested and received Navy JAG Corps funding to send 29 Marine judge advocates to Naval Justice School's new Litigating Sexual Assault cases in April 2009.
 - Requested and received over \$80,000.00 funding from the Office for Victims of Crime (OVC) to conduct Victim Witness Assistance Program training over next 5 FY.

6.1.3. Plans for FY10, including the discussion of:

6.1.3.a. Restricted Reporting. Senior Marine Corps leadership has indicated intent to engage on possible Federal exceptions to mandatory reporting laws, especially as regards California.

6.1.3.b. Advocacy. The Marine Corps has increased funding and plans to implement strategic communications in support of our Advocates.

6.1.3.c. Prevention and training. The SAPR Executive Steering Committee (ESC) and its supporting Working Group (EWG) were chartered specifically to address development of training enhancements. Consistent with Secretary of the Navy (SECNAV)-directed review findings and available resourcing, the Marine Corps has already begun “porting” training into media that supports adult learning theory (Internet, Podcast, etc.), beginning with development of a distance-learning course for small unit leaders; and will begin developing audience-specific training (leader, commander, individual). This approach recognizes that one-third of the Marine Corps are always in transit – either between duty stations, en route to or from training, transitioning to or from civilian life, deploying or redeploying. Leveraging innovative media to supplement “live” training increases the probability of completion. For descriptions of other prevention and training plans for FY 2010, please refer to response 4.2.4.a.1.

6.1.3.d. Research and surveys. 2010 should see the next iteration of the Workplace and Gender-Relations Survey conducted by the Defense Manpower Data Center. Several recognized experts from academe have been added to ESC membership in advisory roles.

6.1.3.e. Oversight activities. The inspection checklist will be revised to include verification that the types of training being conducted are in compliance with DoD policy, in addition to simple confirmation that training is merely being conducted.

6.1.3.f. Healthcare/forensic exams. U.S. Navy (BUMED) provides medical support; see Navy input.

6.1.3.g. Investigative. Department of the Navy (DON, via NCIS) provides military criminal investigative support; see DON input.

6.1.3.h. Legal. Development of Online/DVD Joint Sexual Assault Training for prosecutors: A group of sexual assault litigation experts from each Service (SJA to CMC rep) is currently developing an online sexual assault training course for prosecutors. The training will include 22 modules on how to prosecute a sexual assault case from start to finish. Virtual interviews with actors will simulate victim interviews, briefs to commanding officers and all phases of the trial from preferral of charges to closing and sentencing arguments. The course will likely be ready for deployment by mid to late FY10. The SAPR ESC/EWG will perform an assessment to determine SME requirements.

6.1.3.i. Chaplain. U.S. Navy (CHC) provides religious program support; see Navy input.

6.1.3.j. Mental health. U.S. Navy (BUMED) provides mental health support; see Navy input.

6.1.3.k. Counseling. An assessment of victim services will be conducted. Staffing and training requirements for Victim Advocates will undergo evaluation. An automated case management system for advocate use will be procured.

Fiscal Year (FY) 2009 Sexual Assault Statistical Report for Sexual Assaults in the Military

Part 1. UNITED STATES NAVY

1. Analytic Discussion

1.1 Please provide an analytic discussion of your Service's Statistical Report. This section should include such information as:

- **Notable changes in the data since fiscal year 2008 (in percents)**
- **Possible explanations for changes, or lack of change, in data**
- **Implications the data may have for programmatic planning, oversight, and/or research**
- **Others (Please explain)**

United States Navy (USN)

In Fiscal Year 2008 (FY08), the Naval Criminal Investigative Service (NCIS) reported 334 unrestricted sexual assault investigations for the U.S. Navy (USN). In Fiscal Year 2009 (FY09), NCIS reported 405 unrestricted sexual assault investigations for the USN. This reflects an increase of 71 unrestricted reports - 21% - from FY08 to FY09. Similarly, there were 188 investigations opened and closed in FY08 and compared to 231 opened and closed investigations in FY09, an increase of 23%.

In Fiscal Year 2008 (FY08), there were 155 restricted reports of sexual assault (including 14 reports that were changed to unrestricted), for a year end total of 141. In Fiscal Year 2009 (FY09), there were 173 restricted reports of sexual assault (including 20 that converted to unrestricted), for a year end total of 153. This reflects an increase of 18 restricted reports - 10% from FY08 to FY09. In FY08, 9% of the restricted reports converted to unrestricted compared to 11.5% of the restricted reports in FY09 converted to unrestricted.

Analysis

The Navy recorded 71 more Unrestricted Reports in FY09 than in FY08, and 16 more restricted reports of sexual assault in FY09 than in FY08. The Marine Corps reported 83 more Unrestricted Reports for the same period. The data is interpreted as a positive development. Notably, it is not viewed as indicative of an increase in criminal behavior for two reasons. First, the Department of the Navy did not previously report sexual assault investigations conducted by other departmental law enforcement agencies. Inclusion of cases handled by other departmental law enforcement agencies (other than NCIS) accounts for 24 Unrestricted Report investigations in the Navy and 18 in the Marine Corps. Second, and more importantly, the increase in reporting indicates that DON education efforts are working and more Sailors and Marines are coming forward to seek help and access the services that are available to them. There were SAPR programmatic changes and increased training on the restricted reporting option and the differences between unrestricted reporting which may have impacted command climates and

helped to reduce barriers and stigma to report. It remains notable that most Navy victims who choose restricted reporting choose to keep the report restricted – 90% in FY08 and 88% in FY09 so there is not an investigation and they can continue to receive advocacy, counseling, and medical care.

During FY09, there was a strong education campaign, Navy/Marine Corps-wide, to educate Sailors, Marines and civilians about sexual assault reporting options (Restricted and Unrestricted), services available to victims of sexual assault, and crime prevention. Training focused on defining criminal behavior so that more personnel within the Department better understand and recognize a sexual assault. As Sailors and Marines receive this training and become better educated about the SAPR program, they have begun to report their sexual assault victimization in larger numbers. By way of example, male victim reports nearly doubled in FY09 and rose from 9% in FY08 to 17% in FY09. Review of the individual case investigations suggests that the increase is due to male victim awareness and willingness to report offenses vice a dramatic rise in criminal behavior.

The data coupled with the training and education suggests that the awareness campaign will continue to drive up numbers of reports as the programs reach a wider audience. Offenders rely on the victims to question their own actions leading to acquaintance assault/rape and to remain silent. By teaching our target audience to recognize the crime of sexual assault, they will no longer question their own behavior and report crimes that occur. Further, through comprehensive education on support and treatment programs available, victims will be more likely to seek out the benefits of those programs. However, the awareness campaign will also serve to drive numbers down in the long term as the target audience becomes more aware of inappropriate behavior and avoids enabling behavior.

As the number of reports increases and is expected to continue to do so in the coming years, both Navy and Marine Corps are actively working to improve the handling and disposition of sexual assault cases by all personnel involved in the military criminal justice system. For example, in FY09, NCIS worked routinely with agents in the field to improve investigative skills and procedures that emphasize detail oriented, concise, timely and complete sexual assault investigations. As the sexual assault reports increase, more field agents will be required to work sexual assault investigations. NCIS is presently offering an Advanced Training in sexual and family oriented investigations that will allow specialized agents to be resident experts in working sexual assault investigations.

NCIS is also working closely with the Office of the Judge Advocate General (OJAG) and HQMC, Judge Advocate Division to improve its investigatory and adjudicative products.

2. Unrestricted Reporting

2.1. Victim Data Discussion and Analysis. This section should include an overview of such information as:

- **Type of offenses**
- **Demographic trends**
- **Service referrals**

- **Experiences in Combat Areas of Interest**

United States Navy – Type of Offenses (USN)

Reports of rape comprised only 15% of all sexual assault offenses reported in FY09. As in previous years, the largest category of offenses reported for the USN was aggravated sexual assault, which comprised 43% of all reports received in FY09. The vast majority of these cases involved alcohol, as this is the charge that criminalizes intercourse with a victim who is too intoxicated to consent. The second largest category of reported offenses was wrongful sexual contact at 20%. For the 231 completed investigations, there were 249 victims. Of the 249 victims, 17% reported being victims of rape, 32% reported being victims of aggravated sexual assault and approximately 25% of all victims made allegations of wrongful sexual contact.

Demographic Trends

Approximately 55% of reports were made within three (3) days of the incident occurring. An additional 26% of reports were received within 4-30 days. The longer a victim waits to report an incident, the more challenging evidence collection and the investigation become.

The weekends were the heaviest reporting periods with Saturdays and Sundays comprising 40% of when incidents occurred.

In FY08, 91% of all sexual assault victims were female for the USN. In FY09, the number of female victims dropped to 83% of all victims. This change in demographics may indicate that males are becoming more comfortable reporting their victimization than they were in the past. Although we cannot say with certainty why this change occurred, it corresponds with the general increase in reporting and again suggests that sexual assault prevention and awareness efforts are working and encouraging more victims to come forward.

No significant changes were noted in the rank structure or age of victims between FY09 and FY08. In FY09, approximately 63% of all sexual assault victims were E-1's to E-4's, compared to 62% in FY08. In FY09, the largest age category of victims was 20-24 years of age (43% of all victims). Similarly, in FY08 20-24 year old group was also the largest category of victims at 44%.

In the USN, the percentage of FY09 Service Member on Service Member sexual assaults increased to 62% from 59% in FY08. Therefore a majority of sexual assaults remain Service Member on Service Member. Alcohol involvement and underage drinking remains relevant in a majority of the cases.

Service Referrals

A total of 1568 referrals were made for victims with unrestricted reports of sexual assault. This includes 1039 referrals made to military facilities (399 to military medical, 407 to military counseling, and 233 to military legal) and 529 referrals were made to civilian facilities (226 to civilian medical, 224 to civilian counseling, and 79 to civilian legal). There were also 81 cases

where SAFEs were conducted and 18 cases where SAFE kits or other supplies were not available at the time of the victim exam. There were 109 military victims who received service referrals for incidents that occurred prior to military service. The majority of the referrals were made to military facilities.

Combat Areas of Interest

Twenty-two total unrestricted sexual assault investigations were generated from the Combat Areas of Interest via USN reporting. Sixteen investigations were completed during FY09. There were a total of 19 victims in the 16 investigations. Seventy-nine percent (79%) of the victims were female, with 89% of the victims being members of the USN. One victim was a Marine and one a civilian. Demographically, reports from Combat Areas of Interest are quite similar to reports for the USN overall, with E1-E4 being the largest rank category for victims (53%) and 20-24 year olds comprises the largest age group at 53% of all victims. Of the subjects in these reports, 6 were foreign nationals and 8 were unknown.

The locations of the incidents varied, due most likely to the nature of the Navy's mission. Bahrain had 6 sexual assault reports, Iraq and the United Arab Emirates (UAE) each had 5, Kuwait had 3, Jordan had 2 and Djibouti had 1. The Navy did not receive any reports from Afghanistan.

Analysis

The differences in the locations of the sexual assaults in the Combat Areas of Interest between the USN and the USMC are understandable due to the mission and deployment locations of each branch of service.

The data provided via the Combat Areas of Interest shows no major differences between either branch of service when reviewing full sexual assault reporting data. The statistics for each branch of service in the Combat Areas of Interest mirror the data as presented in the full report. Demographics on victim gender, rank, and age are fairly consistent for both branches of service even when broken down into the Combat Areas of Interest.

Both service reports indicate that aggravated sexual assault is the number one reported sexual offense, followed by wrongful sexual contact. The occurrence of other sexual offenses varied some between the USN and the USMC. Overall it appears that aggravated sexual assault within the Department of the Navy (DON) is the primary sexual offense being reported and investigated.

2.2. Subject Data Discussion and Analysis. This section should include an overview of such information as:

- **Demographic trends**
- **Disposition trends**
- **Experiences in Combat Areas of Interest**

United States Navy (USN) Subject Demographic Trends

Demographic trends inform prevention and awareness efforts; therefore, we examine these in terms of the most recent reports. Data analyzed in this section was culled from Unrestricted Reports opened and closed in FY09 as these are the most recent cases for which we have completed data. There were a total of 260 subjects in 231 sexual assault investigations initiated and completed in FY09 for the USN. Of the 260 subjects 193 (74%) were members of the USN. Only 2% of the subjects were from other Services.

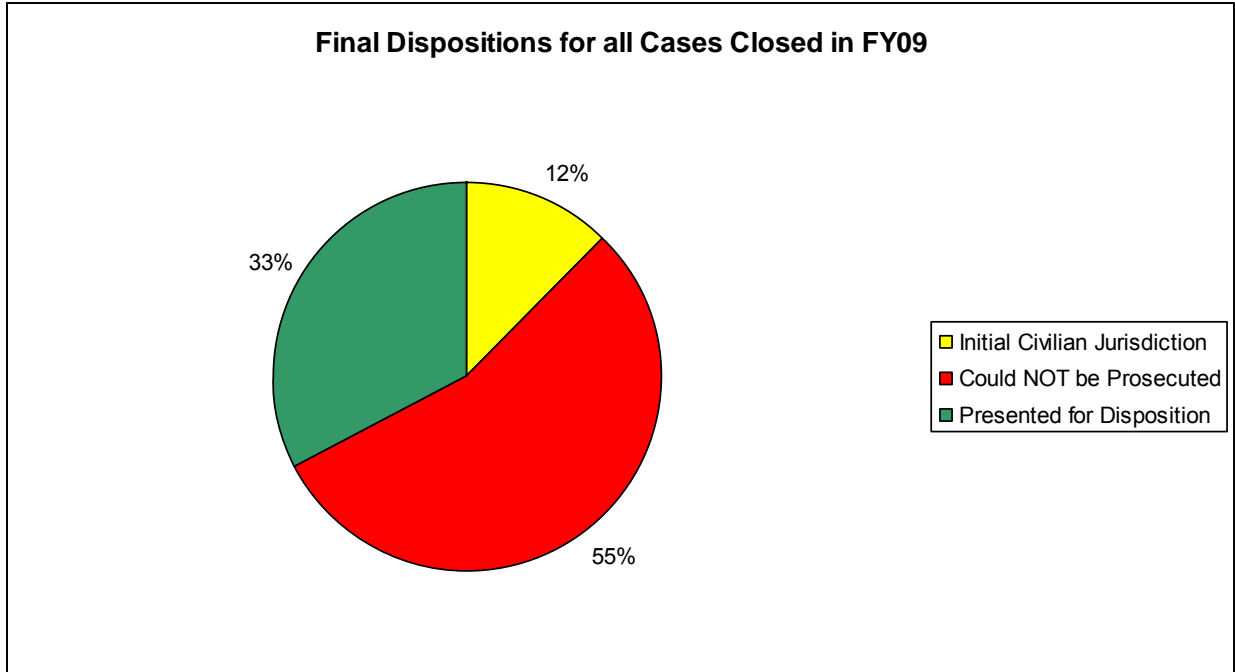
One percent (1%) of the suspects were female, a slight increase from FY08, when 0.5% of the suspects were female. Ninety-five percent (95%) of the suspects were male, with the remainder being unknown.

Of interest are the age categories, which indicate the suspects in sexual assault investigations tend to be slightly older than victims. The largest age group was 20-24 (21%) followed closely by 25-34 years of age at 15%.

The largest rank for suspects in sexual assault investigations is E-1 to E-4 at 35%, followed by E-5 to E-9 at 16%.

Disposition Data

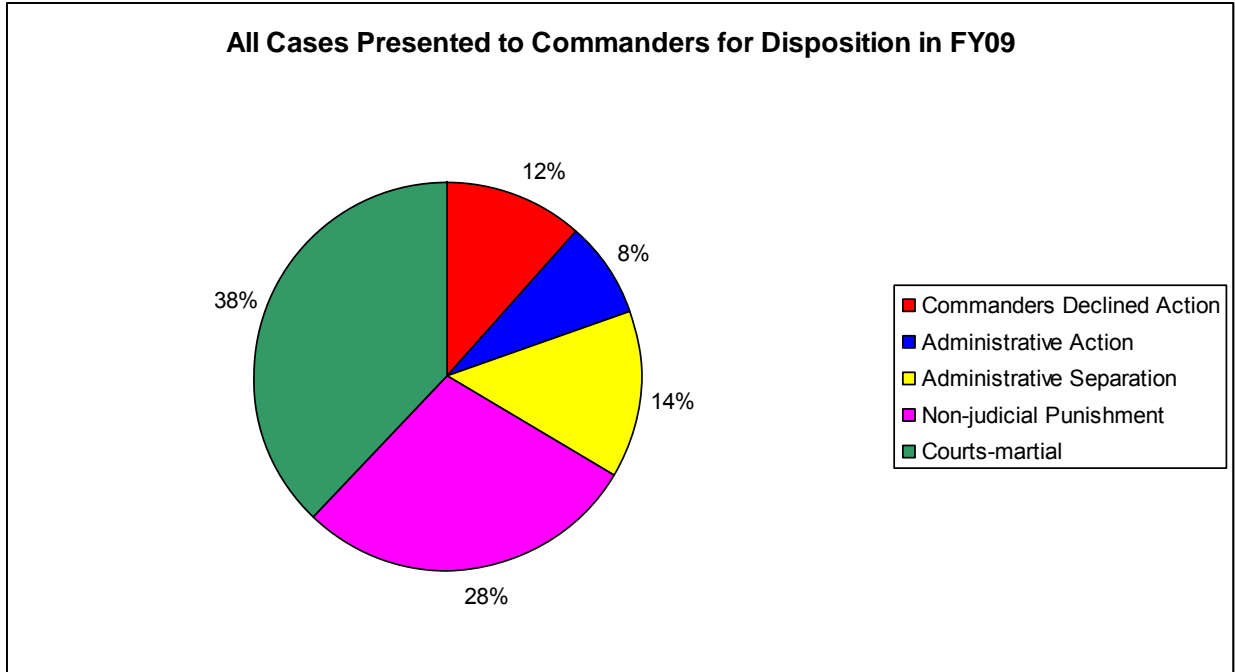
Disposition data must be examined in terms of all cases closed during a time period vice all cases opened and closed. Thorough investigations and successful prosecutions require time, particularly in serious and complex cases; therefore, examining only cases opened and closed in a fiscal year excludes analysis of the more egregious reports received, and as a practical matter all cases reported in the last quarter of the fiscal year. For the sake of accuracy in this section, we have included all dispositions in sections D and E of the matrix (final dispositions in Unrestricted Reports opened and closed in FY09 and final dispositions in Unrestricted Reports received prior to FY09). By doing so, we are able to present a complete and accurate picture of military justice for sexual assault cases in FY09.



Could not be prosecuted - In FY09, there were 419 final dispositions for subjects accused of sexual assault. Fifty-five percent (232) of the subjects could NOT be prosecuted for the following reasons: lack of jurisdiction (i.e., civilian subjects not subject to UCMJ) (23), the offender was unknown (33), the allegation was unfounded meaning it was false or the allegation did not meet the elements of a sexual assault offense (33), probable cause existed only for a non-sexual assault offense (9), the subject died (2), evidence was insufficient (52) or the victim declined to cooperate with investigation and / or prosecution (80).

Initial civilian jurisdiction - In 50 of the remaining 187 cases, civilian authorities initially assumed jurisdiction. Of these 50 cases, 11 were either pending or the disposition was unknown at the time this report was written. NCIS files indicate that civilian authorities deemed 5 cases to be unfounded and victims declined to cooperate in 4 cases. Of the remaining 30 cases, in which disposition was known, charges were filed in 12 cases or 40% of cases. Further analysis is not possible due to lack of information regarding these cases.

Presented for disposition - As a result of the foregoing, 137 of the remaining subjects were presented to commands for a disposition decision. Commanders declined action in 16 cases pursuant to RCM 306(c) (1). Of the remaining 121 subject cases, courts-martial charges were preferred (initiated) against 52 subjects, non-judicial punishment was imposed on 39 subjects, 19 subjects were administratively discharged and other administrative actions were taken against 11 subjects. In other words, courts-martial charges were preferred in 38% of the cases in which any type of action was possible.



This data demonstrates that in those cases where Navy commanders had the option to take some form of administrative or disciplinary action against offenders, they chose to do so in the overwhelming majority of cases.

Experiences in Combat Areas of Interest – USN – Subjects

The USN had 20 total subjects in the 16 sexual assault investigations initiated and subsequently completed in FY09 for the USN. Only six (6) or 30% of the known subjects were in the USN. A larger percentage, (65%) were either not in the military or were unknown.

There were seven (7) subjects or 65%, which had recordable demographics. Of those seven, 14% were between the ages of 20-24 and 57% were between the ages of 25-34.

Six (30%) of the total subjects were foreign nationals.

The locations of the incidents varied, due most likely to the nature of the Navy's mission. Iraq and Bahrain had the highest number of sexual assault incidents at 28% each, followed by the United Arab Emirates (UAE) at 23% and Kuwait at 14%. The Navy did not have any incidents in Afghanistan.

Analysis

The figures indicate that subjects tend to be a little older than their victims, yet most still fall within the lower enlisted range (E-1 to E-4).

For the USN, of the 113 total military subjects presented to Command for a disposition decision,

38 or 34% of the investigations were reported to lack sufficient evidence to proceed further. For the USMC, out of 70 total military subjects presented to Command for disposition only 5 or 7% of the investigations were reported to have insufficient evidence of any crime.

Both victim and subject data indicates that investigations occurring in the Combat Areas of Interest appear to replicate the overall findings reference demographics, offenses and adjudication in most instances. For the Combat Areas of Interest for the USN, Victims declining to participate is as high, or higher (40%) than in the general report. The USMC did not have any victims declining to participate in the Combat Areas of Interest. Three out of four subjects in the USMC cases in the Combat Areas of Interest had dispositions of Courts-Martial Charge Preferred, which is 75% of the USMC investigations worked in those areas.

2.3. Reporting Data Discussion and Analysis. This section should include an overview of such information as:

- **Trends in descriptive information about Unrestricted Reports (e.g., did more reported incidents occur on/off installation, etc.)**
- **Investigations**
- **Experiences in Combat Areas of Interest**

USN Trends - Descriptive Data

Statistics for the USN concerning the location of the offense (on-base vs. off-base) were very consistent with statistics from FY08. It is also evident that the reported number of incidents occurring on-base versus off-base is almost evenly distributed when it comes to location of incident. In FY09, 48% of the sexual assault incidents were reported as occurring off-base and 49% were reported as occurring on-base. The locations for the remaining investigations were unknown. In FY08, off-base incidents accounted for 46% of the reports and on-base accounted for 49% of reported sexual assaults.

As stated above, most of the sexual assault reports were made within 30 days (81%). The weekend was the heaviest incident period (Saturday and Sunday) at 40%. When Friday is added as an incident day, the number increases to 51%. Over half of all reported sexual assaults in the Navy for FY09 occurred during the weekend period (Friday-Sunday).

Most sexual assaults occurred in the late evening/early morning hours. Of the 405 total reported sexual assaults, 151 occurred at unknown times. Using only known times (254 incidents); the following statistics can be ascertained. Fifty percent of incidents where the time is known occurred between midnight to 6 am. Another 34% occurred between the hours of 6pm to midnight. Of the known sexual assault incident times, 84% occurred between the hours of 6pm to 6am, which is usually considered non-duty hours.

Investigations – USN

In FY09, 405 Unrestricted Sexual Assault investigations were initiated. Of those, 231 were opened and closed (completed) during FY09. The completed investigations had 260 subjects and 249 victims.

Of 231 investigations, 196 were completed investigations involving Service Members as victims. Fifty-two Service Member victims (active duty) declined to participate in any judicial action. This is a rate of 26.5%. The reasons victims declined to prosecute are unknown but could stem from a multitude of issues, whether it lies in services available to victims, the investigatory process, the adjudicative process, the command climate or a combination of these factors.

Combat Areas of Interest – USN

NCIS does not work sexual assault investigations any different in Combat Areas of Interest. Sexual assault investigations are handled the same whether they occur CONUS, OCONUS or in a deployed war zone. The statistics presented in this report indicate that the demographics and trends of sexual assaults in the Combat Areas of Interest replicate those in the general overall report. There were not any vast differences or anomalies noted in the Combat Areas of Interest.

Analysis

Trends in demographics, offenses, adjudication and Combat Areas of Interest have remained fairly constant between FY08 and FY09. The statistics vary slightly between services (USN and USMC) but overall, the results are fairly similar.

Sexual assault victims in the DON are mainly represented in the E-1 to E-4 category and are young, with the largest age group comprising 20-24 year olds. Subjects were also highly concentrated in the E-1 to E-4 ranges. Most offenders, like victims, were also within the 20-24 year old age bracket, but more subjects appeared to fall within the 25-34 year old age category than is reported via the victim demographics. There were obviously many more subjects without known demographic information than victims. Therefore, the statistics provided for subjects may not be as accurate as that for victims.

Well over 50% of all sexual assaults occur over the weekend period (Friday – Sunday) and between the hours of 6pm and 6am. In many circumstances this period of time is considered non-duty time.

There was not a large difference noted between off-base and on-base incidents, but they were more equal in the USN than in the USMC. The USMC showed a slightly higher On-base occurrence of sexual assaults.

All sexual assault investigations are worked in the same manner, irrespective if the investigation involves USN or USMC personnel. All investigations follow the same policies and protocols whether CONUS, OCONUS or within the Combat Areas of Interest. Therefore the way an investigation is conducted and reported will have no impact on demographics, trends, or dispositions.

3. Restricted Reporting

3.1. Victim Data Discussion. This section should include such information as:

- **Type of offenses**
- **Demographics trends**
- **Service referrals**
- **Experiences in Combat Areas of Interest**

Types of Offenses - USN

NCIS/Security personnel are not involved in restricted cases. SARC's are not required to indicate the types of offenses for restricted reports because the type of offenses would be based on self reports of the victims which may not be accurate. Self reports by victims describing the offense may or may not meet the definition and criteria of the UCMJ offense. The role of SARC's is to focus on providing support (referrals to advocacy, medical, and counseling services) and case management rather than focus on the type of offense.

Demographic Trends

Approximately 53% of the restricted reports were made within three (3) days of the incident occurring. An additional 27% were received within 4-30 days. It was noteworthy that 10 reports out of 171 (does not include Combat Areas of Interest) were received longer than 365 days after the assault. Generally, those reports are of sexual assaults that occurred prior to active duty.

As with unrestricted reports of sexual assault, most restricted reports, 34% were received on the weekends.

In FY08, 86% of all sexual assault victims making a restricted report were female for USN. In FY09, 85% of all victims making a restricted report were female.

In FY08, 24% of sexual assault victims making a restricted report were between 16-19 years of age. In FY09, 32% of all victims making a restricted report were between 16-19 years of age so there was an increase of victims under age nineteen. Statistically, the range for victims making a restricted report in FY08 and FY09 between ages 20-24 was the same. It was 46% (20-24 years of age) for FY08 and 45% for FY09.

There were changes in the rank structure of victims making restricted reports in FY09 and FY08, however it is difficult to determine the statistical difference because in FY08 there were 62 victims whose rank/grade were "unknown." In FY08, 45% of the victims were E1 - E-4 and in FY09, 76% of the victims were E-1 - E-4.

The percentage of FY09 Service Member on Service Member restricted reporting sexual assaults increased to 70% from 67% in FY08.

Service Referrals

Service referrals were primarily made to military facilities for counseling and medical. In FY09 42 referrals were made to military facilities; 17 to medical, 23 for counseling (primarily at the Fleet and Family Support Center with clinical counselors), and 2 to legal.

USN – Combat Areas of Interest

Two restricted reports were made in Combat Areas of Interest in FY09. The same number (2) of restricted reports were made in FY08 (CAI). Both years, the reports were Service Member on Service Member. In FY09 both incidents occurred on the military installation whereas in FY08 both incidents occurred off of the installation. In FY08, the victims were older and more senior in rank: 25-34 years of age and their grades were E-5 – E-9 and W01 – W05. In FY09, the victims were 20 - 24 years of age and 25- 34 and both were E5 – E-9.

3.2. Reporting Data Discussion. This section should include such information as:

- **Trends in descriptive information about Restricted Reports (e.g., did more occur reported incidents occur on/off installation, etc)**
- **Experiences in Combat Areas of Interest**

In FY09, 65% of the sexual assault occurred off of the installation compared to 70% occurring off of the installation in FY08. Most sexual assaults reported as restricted reports were reported within 3 days of the sexual assault; 54% of the sexual assaults in FY09 were made within 3 days of sexual assault and 56% in FY08. As stated earlier, 67% of the restricted reports of sexual assault were Service Member on Service Member in FY08 compared to 71% Service Member on Service Member in FY09. That is statistically similar to unrestricted reports (70% were Service Member on Service Member in FY09).

Combat Areas of Interest

There were two total restricted reports in Combat Areas of Interest for both Fiscal Years. In FY09, both restricted reports of sexual assault occurred off the military installation. In FY08, both restricted reports occurred on the installation. During both Fiscal Years, the restricted reports in Combat Areas of Interest occurred between Service Member on Service Member.

4. Service Referrals for Victims of Sexual Assault

4.1. Unrestricted Report Referral Data Discussion. This section should include such information as:

- **Summary of referral data**
- **Combat Areas of Interest referral data**
- **Discussion of any trends of interest identified in referral data**

Summary of referral data

A total of 1568 referrals were made for unrestricted reports cases. This includes 1039 referrals made to military facilities (399 to military medical, 407 to military counseling, and 233 to

military legal). Five hundred twenty-nine (529) referrals were made to civilian facilities (266 to civilian medical, 224 to civilian counseling, and 79 to civilian legal).

Combat Areas of Interest

Thirty one (31) referrals were made for unrestricted reports in Combat Areas of Interest. Thirty of the referrals were made to Military facilities (11 for medical, 13 for counseling, and 6 for legal). The one referral made to a Civilian facility was for counseling.

Trends

The majority of all service referrals for victims of sexual assault with unrestricted reports are to military facilities.

4.2. Restricted Report Referral Data Discussion. This section should include such information as:

- **Summary of referral data**
- **Combat Areas of Interest referral data**
- **Discussion of any trends of interest identified in referral data**

As stated in 3.1, Service referrals were primarily made to military facilities for counseling and medical. In FY09 42 referrals were made to military facilities; 17 to medical, 23 for counseling (primarily at the Fleet and Family Support Center with clinical counselors), and 2 to legal.

There were 13 cases where SAFEs were conducted, and there were 25 cases where SAFE kits or other needed supplies were not available at the time of the victim's exam.

Combat Areas of Interest

Service referrals in Combat Areas of Interest were made to military facilities. There were two restricted reports of sexual assault for Navy in Combat Areas of Interest.

Trends

For FY09 for both restricted and unrestricted reports of sexual assault, the primary referral for counseling was to military facilities and the majority of counseling was provided by Clinical Counselors at the Fleet and Family Support Center. The SARC also works at the installation Fleet and Family Support Center which is conducive and effective for victim's access for counseling.

FY09 is the first year that there have been any cases reports where SAFE kits or other needed supplies were not available at the time of the victim's exam. This fact will be researched to determine the locations and information regarding these reports.

4.3. Service Referrals for Non-Military Victims Data Discussion. This section should include such information as:

- **Summary of referral data**
- **Combat Areas of Interest referral data**
- **Discussion of any trends of interest identified in referral data**

Navy reported one (1) service referral for a non-military victim to a civilian facility. In FY10, Navy will have an automated Case Management System to effectively capture all case information.

Fiscal Year (FY) 2009 Sexual Assault Statistical Report for Sexual Assaults in the Military

Part 2. UNITED STATES MARINE CORPS

1. Analytic Discussion

1.1 Please provide an analytic discussion of your Service's Statistical Report. This section should include such information as:

- **Notable changes in the data since fiscal year 2008 (in percents)**
- **Possible explanations for changes, or lack of change, in data**
- **Implications the data may have for programmatic planning, oversight, and/or research**
- **Others (Please explain)**

United States Marine Corps (USMC)

In FY08 NCIS reported 216 Unrestricted Sexual Assault investigations for the U.S. Marine Corps (USMC). In FY09, NCIS reported 299 Unrestricted Sexual Assault investigations for the USMC. This reflects an increase of 83 Unrestricted Reports - 38% - from FY08 to FY09. In the USMC, there were 105 investigations opened and closed in FY08 and 135 investigations opened and closed in FY09, reflecting an increase of 29%.

The proportion of "non-Service Member" or "unknown" victims decreased from 38% in FY08 to 25% in FY09.

Analysis

The Navy recorded 71 more Unrestricted Reports in FY09 than in FY08 while the USMC reported 83 more Unrestricted Reports for the same period. The data is interpreted as a positive development. Notably, it is not viewed as indicia of an increase in criminal behavior. First, the Department of the Navy did not previously report sexual assault investigations conducted by other departmental law enforcement agencies. Inclusion of cases handled by other law enforcement agencies (other than NCIS) accounted for 24 Unrestricted Report investigations in the Navy and 18 in the Marine Corps. Second, and more importantly, the increase in reporting indicates that DON education efforts are working and more Sailors and Marines are coming forward to seek help and access the services that are available to them.

During FY09, there was a strong education campaign, Navy/Marine Corps-wide, to educate Sailors, Marines and civilians about sexual assault reporting options (Restricted and Unrestricted), services available to victims of sexual assault and crime prevention. Training focused on defining criminal behavior so that more personnel within the department better understand and recognize a sexual assault. As Sailors and Marines receive this training and become better educated about the SAPR program, they have begun to report their sexual assault victimization in larger numbers. By way of example, male victim reports nearly doubled in

FY09 and rose from 9% in FY08 to 17% in FY09. Review of the individual case investigations suggests that the increase is due to male victim awareness and willingness to report offenses vice a dramatic rise in criminal behavior.

The data coupled with the training and education suggests that the awareness campaign will continue to drive up numbers of reports as the programs reach a wider audience. Offenders rely on the victims to question their own actions leading to acquaintance assault/rape and to remain silent. By teaching our target audience to recognize the crime of sexual assault, they will no longer question their own behavior and report crimes that occur. Further, through comprehensive education on support and treatment programs available, victims will be more likely to seek out the benefits of those programs. However, the awareness campaign will also serve to drive numbers down in the long term as the target audience becomes more aware of inappropriate behavior and avoids enabling behavior.

As the number of reports increases and is expected to do so in the coming years, both the Navy and Marine Corps are actively working to improve the handling and disposition of sexual assault cases by all personnel involved in the military criminal justice system. For example, in FY09, NCIS worked routinely with agents in the field to improve investigative skills and procedures that emphasize detail oriented, concise, timely and complete sexual assault investigations. As the sexual assault reports increase, more field agents will be required to work sexual assault investigations. NCIS is presently offering an Advanced Training in sexual and family oriented investigations that will allow specialized agents to be resident experts in working sexual assault investigations.

NCIS is also working closely with the Office of the Judge Advocate General (OJAG and HQMC, Judge Advocate Division to improve its investigatory and adjudicative products.

Implications the data may have for programmatic planning, oversight, and/or research

The major implication is that we are headed in the right direction. Programs begun as pilots may now qualify for additional fiscal resources.

2. Unrestricted Reporting

2.1. Victim Data Discussion and Analysis. This section should include an overview of such information as:

- **Type of offenses**
- **Demographic trends**
- **Service referrals**
- **Experiences in Combat Areas of Interest**

United States Marine Corps – Type of Offenses (USMC)

Reports of rape comprised only 9% of all sexual assault offenses reported in FY09, while aggravated sexual assault remained the largest category of sexual assault offenses reported at

51%. The majority of the aggravated sexual assault cases (as in the Navy numbers) involved alcohol. The second largest case category of reported offenses was wrongful sexual contact at 24%. The 135 completed USMC investigations had a total of 143 victims. Marine victims reported various types of sexual assaults in the following percentages: 46% aggravated sexual assault, 31% - wrongful sexual contact, 10% - rape, 4% - non-consensual sodomy, and 2% abusive sexual contact.

Of the total reported incidents, 55% were characterized as Service Member on Service Member.

Demographic Trends - USMC

Upon review of the FY09 statistics, it was noted that 56% of all USMC sexual assault investigations were reported within 3 days of the incident, an increase of 5% over FY08. Twenty percent (20%) were reported within 4-30 days and only 4% were reported over one year past the date of the incident. It is important to note that most reports are timely, which can be a vast benefit for investigators.

Weekend reporting (Saturday and Sunday) comprise 40% of all USMC reports generated.

Unlike the USN, which showed a larger number of male victims, the USMC stayed constant from FY08 to FY09. The number of female victims listed in FY08 were 91% and in FY09 the number of female victims is 91.6%, an almost an imperceptible increase.

The largest rank represented as victims is the E-1 to E-4 category. In FY09, 55% of all victims were E-1 to E-4 in the USMC reports. In FY08 that number was 48%, which shows a slight increase in victims coming from the lower rank structure.

There was minimal change in age groups, with the largest group in FY08 and FY09 being the age group of 20-24 year olds. In FY08 the same age group comprised 43% of all victims and in FY09, comprised 46% of all victims.

There was a slight increase in the number of “service member on service member” investigations. In FY08 that category comprised 51% of all investigations and in FY09 that number comprised 55% of all USMC investigations.

Service referrals

There were a total of 370 referrals, for victims making unrestricted reports, to either military or civilian resources for medical, counseling or legal services.

USMC – Combat Areas of Interest

The USMC had seven (7) total Unrestricted Sexual Assault investigations in the Combat Areas of Interest during FY09, none of them for rape. Four (4) investigations were completed for FY09. The USMC reported a total of 6 sexual assault victims from the 4 completed investigations, 100% of which were female. An equal number of victims were between the

ages of 16 and 19 (33.3%) and 20-24 (33.3%). 71% were reported within 3 three days; 57% of them occurred between 0001-0600; 57% occurred on Saturday. The majority of the victims (66.6%) were E-1 to E-4.

Most of the sexual assault offenses occurred in Iraq (67%), with 28% occurring in Afghanistan.

Analysis

The differences in the locations of the sexual assaults in the Combat Areas of Interest between the USN and the USMC are understandable due to the mission and deployment locations of each branch of service.

The data provided via the Combat Areas of Interest shows no major differences between either branch of service when reviewing full sexual assault reporting data. The statistics for each branch of service in the Combat Areas of Interest mirror the data as presented in the full report. Demographics on victim gender, rank, and age are fairly consistent for both branches of service even when broken down into the Combat Areas of Interest.

Both service reports indicate that aggravated sexual assault is the number one reported sexual offense, followed by wrongful sexual contact. The occurrence of other sexual offenses varied some between the USN and the USMC. Overall it appears that aggravated sexual assault within the Department of the Navy (DON) is the primary sexual offense being reported and investigated.

2.2. Subject Data Discussion and Analysis. This section should include an overview of such information as:

- **Demographic trends**
- **Disposition trends**
- **Experiences in Combat Areas of Interest**

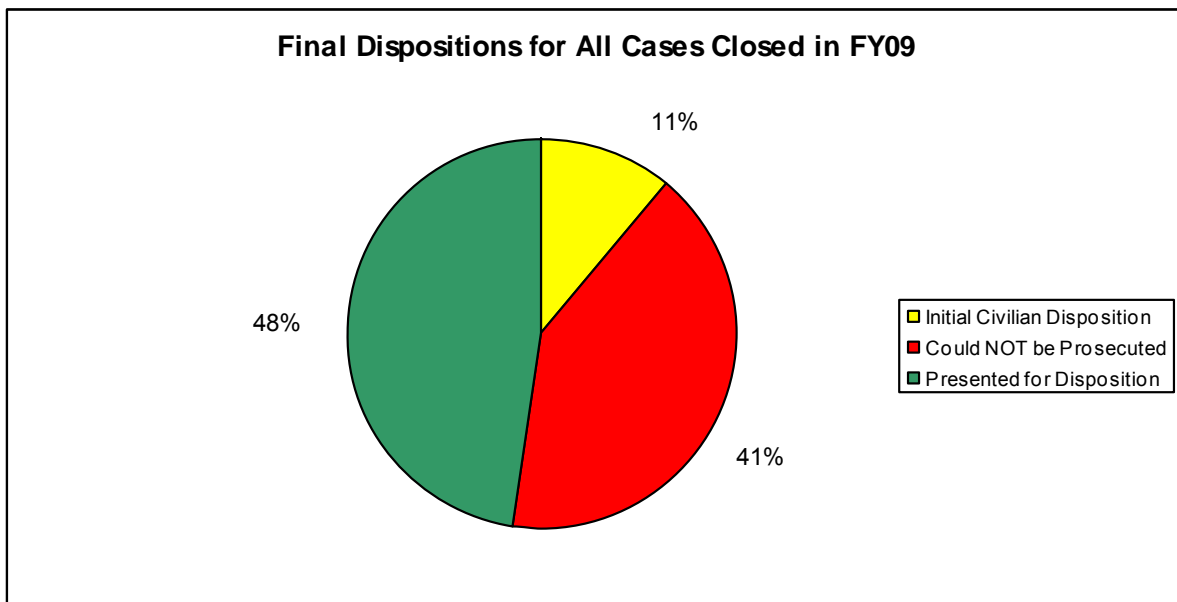
United States Marine Corps – Subject Demographic Trends

The USMC had 146 subjects in 135 sexual assault investigations initiated and subsequently completed in FY09 for the USMC. Of the 146 subjects, 88% were members of the USMC. Only 2% of the subjects were from other services and the rest are either unknown or civilians. The USMC investigations had 0.7% female subjects (one). In FY08 the USMC did not have any reported female offenders.

Of the subjects who had reportable demographic information, 64% were E-1 to E-4 and 17% were E-5 to E-9, which shows a high concentration of enlisted member subjects (81% total). Of the known offenders, 44% were between the ages of 20-34, with a breakdown of 29% within the age range of 20-24 and 15% within the age range of 25-34. This statistic, like the USN, shows that the ages of subjects tend to be a slightly higher than the age of victims.

Disposition data

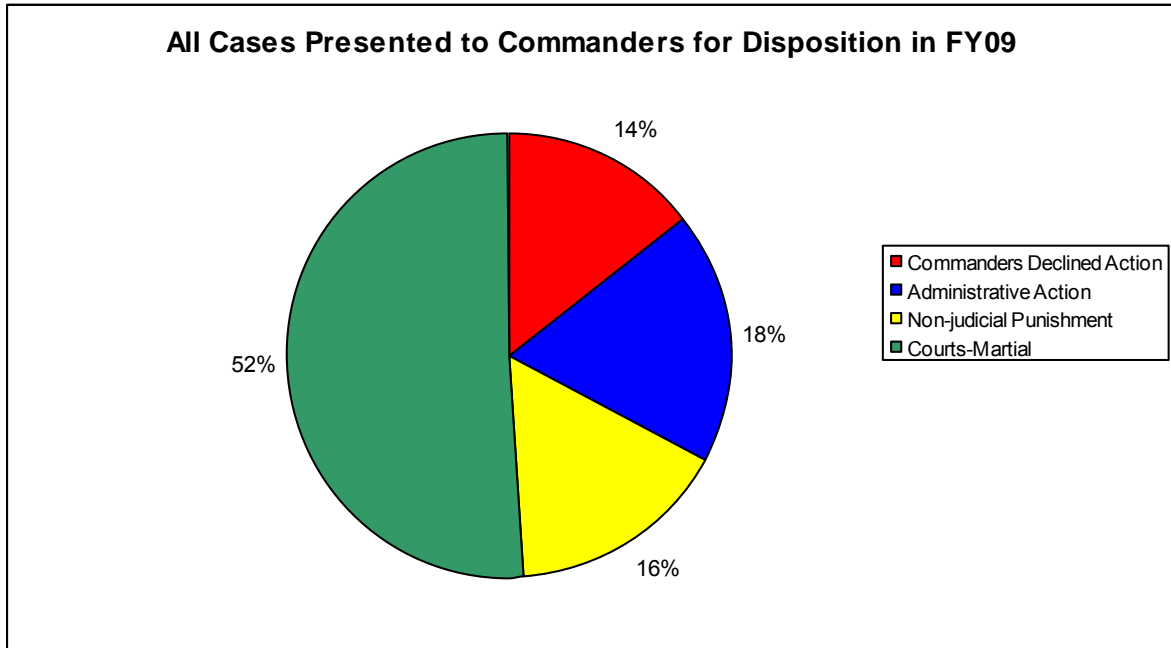
Disposition data must be examined in terms of all cases closed during a time period vice all cases opened and closed. Thorough investigations and successful prosecutions require time, particularly in serious and complex cases; therefore, examining only cases opened and closed in a fiscal year excludes analysis of the more egregious reports received, and as a practical matter all cases reported in the last quarter of the fiscal year. For the sake of accuracy in this section, we have included all dispositions in sections D and E of the matrix (final dispositions in Unrestricted Reports opened and closed in FY09 and final dispositions in Unrestricted Reports received prior to FY09). By doing so, we are able to present a complete and accurate picture of military justice for sexual assault cases in FY09.



Could not be prosecuted - In FY09, there were 262 final dispositions for subjects accused of sexual assault. Forty-one percent (108) of the subjects could NOT be prosecuted for the following reasons: lack of jurisdiction (i.e., civilian subjects NOT subject to UCMJ) (7), the subject was unknown (12), the allegation was unfounded, meaning it was false or did not meet the elements of a sexual assault offense (12), probably cause existed for a non-sexual assault offense only (10), the subject died or deceased (1), the evidence was insufficient (24) or the victim declined or refused to cooperate with the investigation or prosecution (42).

Initial civilian jurisdiction – In 29 of the remaining 154 subject cases, civilian authorities initially assumed jurisdiction. Of these 29, 8 were either pending or the disposition was unknown at the time this report was written. NCIS files indicate that civilian authorities declined to prosecute due to lack of evidence in 6 cases, deemed 4 cases to be unfounded and victims declined to cooperate in 3 cases. Of the remaining cases in which disposition was known, charges were filed in 8 or 28% of the cases. Further analysis is not possible due to lack of information regarding these cases.

Presented for disposition - In total, 125 subject cases were presented to commanders for a disposition decision in FY09. Commanders preferred courts-martial charges against 64 subjects, conducted non-judicial punishment against 20 subjects, took adverse administrative action against 23 subjects, and declined action in 18 cases pursuant to RCM 306(c)(1). Thus where commanders were able to take action, adverse action was taken against subjects in over 85% of the cases, including preferral of courts-martial charges in 51.6% of the cases.



Experiences in Combat Areas of Interest – USMC – Subjects

The USMC had a total of seven unrestricted reports that took place in the Combat Areas of Interest during FY09. Five incidents were in Iraq (67%), and two (27%) were in Afghanistan.

The USMC had only four (4) subjects in four (4) sexual assault investigations initiated and completed in FY09 in the Combat Areas of Interest during FY09. All four (4) or 100% are members of the USMC. The age breakdown is as follows: 25% ages 16-19, 25% 20-24 and 50% 25-34 years of age. Seventy-five per cent (75%) were E-1 to E-4 and 25% was E-5-E-9. Of the two subjects for which evidence supported command action, one subject received court-martial; one received “other administrative action.”

Analysis

The figures indicate that subjects tend to be a little older than their victims, yet most still fall within the lower enlisted range (E-1 to E-4).

For the USN, of the 113 total military subjects presented to Command for a disposition decision, 38 or 34% of the investigations were reported to lack sufficient evidence to proceed further. For the USMC, out of 70 total military subjects presented to Command for disposition

only 5 or 7% of the investigations were reported to have insufficient evidence of any crime. There appears to be a significant difference in this metric between the USN and the USMC.

Both victim and subject data indicates that investigations occurring in the Combat Areas of Interest appear to replicate the overall findings reference demographics, offenses and adjudication in most instances. For the Combat Areas of Interest for the USN, Victims declining to participate is as high, or higher (40%) than in the general report. The USMC did not have any victims declining to participate in the Combat Areas of Interest. Three out of four subjects in the USMC cases in the Combat Areas of Interest had dispositions of Courts-Martial Charge Preferred, which is 75% of the USMC investigations worked in those areas.

2.3. Reporting Data Discussion and Analysis. This section should include an overview of such information as:

- **Trends in descriptive information about Unrestricted Reports (e.g., did more reported incidents occur on/off installation, etc.)**
- **Investigations**
- **Experiences in Combat Areas of Interest**

USMC Descriptive Data

The USMC had more sexual assault incidents reported as occurring On-base than Off-base. This statistic was very similar for FY08 and FY09. In FY09, approximately 40% of the sexual assault incidents were reported to have occurred Off-base, vice 60% that were reported to have occurred On-base. (Two cases had unknown locations). In FY08, 34% were reported as occurring Off-base with 59% occurring On-base. (The rest had unknown locations). The USMC was fairly consistent over the last two years for On-base versus Off-base incident locations.

In FY09 56% of all USMC sexual assault investigations were reported within 3 days of the incident. Twenty percent (20%) were reported within 4-30 days. This indicates an overall 76% rate concerning timely reporting. Saturdays and Sundays (weekend) comprised 40% of the incident times reported for sexual assaults. When Friday is added to the equation, the number jumps to 57%. This statistic indicates that over half of all reported sexual assault incidents are occurring during “weekend” or off-duty hours.

A vast number (137) of the reported sexual assaults occurred at an unknown time. Only 163 reports indicated a known time for the sexual assault. Using known times only (163), 58% occurred between midnight and 6am and approximately 34% occurred between 6pm to midnight. A significant number of sexual assaults, 92%, occurred during off-duty hours, between the hours of 6pm and 6am, a 12 hour period.

Investigations – USMC

In FY09, 299 Unrestricted Sexual Assault investigations were initiated. Of those, 135 were opened and closed (completed) during FY09. The completed investigations had 146 subjects and 143 victims.

Of 135 investigations, 86 were completed investigations involving service members as victims. Twenty service member victims (active duty) declined to participate in any judicial action. This is a rate of 23%. The reason for this high number is unknown. It could stem from a multitude of issues, whether it lies in services available to victims, the investigatory process, the adjudicative process, the command climate or a combination of these factors.

Combat Areas of Interest – USMC

NCIS does not work sexual assault investigations any different in Combat Areas of Interest. Sexual assault investigations are handled the same whether they occur CONUS, OCONUS or in a deployed war zone. The statistics presented in this report indicate that the demographics and trends of sexual assaults in the Combat Areas of Interest replicate those in the general overall report. There were not any vast differences or anomalies noted in the Combat Areas of Interest.

Analysis

Trends in demographics, offenses, adjudication and Combat Areas of Interest have remained fairly constant between FY08 and FY09. The statistics vary slightly between services (USN and USMC) but overall, the results are fairly similar.

Sexual assault victims in the DON are mainly represented in the E-1 to E-4 category and are young, with the largest age group comprising 20-24 year olds. Subjects were also highly concentrated in the E-1 to E-4 ranges. Most offenders, like victims, were also within the 20-24 year old age bracket, but more subjects appeared to fall within the 25-34 year old age category than is reported via the victim demographics. There were obviously many more subjects without known demographic information than victims. Therefore, the statistics provided for subjects may not be as accurate as that for victims.

Well over 50% of all sexual assaults occur over the weekend period (Friday – Sunday) and between the hours of 6pm and 6am. In many circumstances this period of time is considered non-duty time.

There was not a large difference noted between off-base and on-base incidents, but they were more equal in the USN than in the USMC. The USMC showed a slightly higher On-base occurrence of sexual assaults.

All sexual assault investigations are worked in the same manner, irrespective if the investigation involves USN or USMC personnel. All investigations follow the same policies and protocols whether CONUS, OCONUS or within the Combat Areas of Interest. Therefore the way an investigation is conducted and reported will have no impact on demographics, trends, or dispositions.

3. Restricted Reporting

3.1. Victim Data Discussion. This section should include such information as:

- **Type of offenses**
- **Demographics trends**
- **Service referrals**
- **Experiences in Combat Areas of Interest**

Types of offenses

As with Navy, the types of offenses are not collected by SARCs and reported. SARCs focus on victim support and case management.

Demographic trends

The most notable trend difference from FY08 is that most (twelve) of the Restricted Reports made in FY09 were opened between one month and one year removed from the incident. Two victims were mobilized Reservists. Seven were male.

Service referrals

There were twenty-eight (28) referrals to military facilities for services. There were ten (10) referrals to civilian facilities for services. Victims may be referred separately to either military or civilian service providers; or simultaneously to both.

Combat Areas of Interest

There were not restricted reports opened in the Combat Areas of Interest.

3.2. Reporting Data Discussion. This section should include such information as:

- **Trends in descriptive information about Restricted Reports (e.g., did more occur reported incidents occur on/off installation, etc)**
- **Experiences in Combat Areas of Interest**

Trends

Slightly more than half of the incidents occurred aboard an installation. Friday and Thursday outpaced Sunday as the second-most likely day of occurrence – most still occur on Saturday.

Combat Areas of Interest

There were no restricted reports opened in the Combat Areas of Interest.

4. Service Referrals for Victims of Sexual Assault

4.1. Unrestricted Report Referral Data Discussion. This section should include such information as:

- **Summary of referral data**
- **Combat Areas of Interest referral data**
- **Discussion of any trends of interest identified in referral data**

Summary of referral data

There were 108 referrals for military medical services, ninety-nine (99) referrals to military counseling, and fifty-seven (57) referrals to military legal services. There were forty-three (43) referrals to civilian medical services, forty-two (42) referrals to civilian counseling, and twenty-one (21) referrals to civilian legal services.

Combat Areas of Interest

No data specific to the CAI was collected.

Discussion of trends

Nothing of note.

4.2. Restricted Report Referral Data Discussion. This section should include such information as:

- **Summary of referral data**
- **Combat Areas of Interest referral data**
- **Discussion of any trends of interest identified in referral data**

Summary of referral data

There were twelve referrals for medical and sixteen for counseling services at military facilities. There was one referral for medical and nine referrals for counseling services at civilian facilities. Two victims requests SAFEs be conducted.

4.3. Service Referrals for Non-Military Victims Data Discussion. This section should include such information as:

- **Summary of referral data**
- **Combat Areas of Interest referral data**
- **Discussion of any trends of interest identified in referral data**

There were no referrals of non-military victims.

NAVY FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY	
A. FY09 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING MILITARY MEMBERS (BY or AGAINST Service Members)	FY09 Totals
# VICTIMS in FY09 Unrestricted Reports	451
# Service Member victims	361
# Non-Service Member victims	90
# Unrestricted Reports in the following categories	405
# Service Member on Service Member	251
# Service Member on Non-Service Member	83
# Non-Service Member on Service Member	29
# Unidentified Subject on Service Member	42
# Unrestricted Reports of sexual assault occurring	405
# On military installation	197
# Off military installation	194
# Unidentified location	14
# Investigations (From FY09 Unrestricted Reports)	405
# Pending completion as of 30-SEP-09	174
# Completed as of 30-SEP-09	231
# Restricted Reports	173
# Converted from Restricted Report to Unrestricted Report*	20
# FY09 RESTRICTED REPORTS REMAINING RESTRICTED	153
B. INCIDENT DETAILS	FY09 Totals
Length of time between sexual assault and Unrestricted Report	405
# Reports made within 3 days of sexual assault	222
# Reports made within 4 to 30 days after sexual assault	105
# Reports made within 31 to 365 days after sexual assault	48
# Reports made longer than 365 days after sexual assault	8
# Unknown	22
Time of sexual assault	405
# Midnight to 6 am	128
# 6 am to 6 pm	39
# 6 pm to midnight	87
# Unknown	151
Day of sexual assault	405
# Sunday	72
# Monday	27
# Tuesday	28
# Wednesday	33
# Thursday	46
# Friday	45
# Saturday	88
# Unknown	66
C. FY09 SUMMARY OF THE COMPLETED INVESTIGATIONS	FY09 Totals
# Completed investigations	231
# Investigations with more than one victim, subject, or both	32
# SUBJECTS in the completed investigations	260
# Your Service Member subjects	193
# Service Member subjects from other Services	6
# Non-Service Member subjects	21
# Unidentified subjects	40
# VICTIMS in the completed investigations	249
# Service Member victims	189
# Non-Service Member victims	53
# Service Member victims from other Services	7
# Unknown	0
D. FY09 FINAL DISPOSITIONS IN UNRESTRICTED REPORTS (Subjects)	FY09 Totals
# Final dispositions for FY09 SUBJECTS in the following categories	260
DoD Action Precluded:	90
# Subject unknown	27
# Unfounded	18
# Civilian or Foreign Authority-Person subject to the UCMJ	30
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	15
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	117
# Probable cause for only non-sexual assault offense	5
# Subject deceased or deserted	1
# Victim deceased	0
# Victim declined to participate in the military justice action	56
# Insufficient evidence of any offense	38
# Statute of limitations has expired	0
# Unfounded	6
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	11
# Pending completion as of 30-SEP-09	197
# Completed as of 30-SEP-09	53
# Evidence Supports Command Action for Sexual Assault (FY09 Subjects)	53

# Courts-martial charge preferred (Initiated)	13
# Nonjudicial punishments (Article 15 UCMJ)	24
# Administrative discharges	10
# Other administrative actions	6

E. FINAL DISPOSITIONS FOR SUBJECTS IN UNRESTRICTED REPORTS (Reports made prior to FY09 that were completed in FY09)	FY09 Totals
# Investigations pending from reports made from FY04 to FY08 that were completed as of 30-SEP-09	157
# Pre-FY09 Investigations pending STILL PENDING completion as of 30-SEP-09	12
# Pre-FY09 Investigations COMPLETED as of 30-SEP-09	145
# SUBJECTS for disposition in FY09 - from Pre-FY09 reports - resolved as of 30-SEP-09	
# Final FY09 DISPOSITIONS for SUBJECTS from FY04 to FY08 reports and investigations that were completed in FY09	159
DoD Action Precluded:	40
# Subject unknown	6
# Unfounded	6
# Civilian or Foreign Authority-Person subject to the UCMJ	20
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	8
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	51
# Probable cause for only non-sexual assault offense	4
# Subject deceased or deserted	1
# Victim deceased	
# Victim declined to participate in the military justice action	24
# Insufficient evidence of any offense	14
# Statute of limitations	
# Unfounded	3
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	5
# Pending completion as of 30-SEP-09	12
# Completed as of 30-SEP-09	68
# Evidence Supports Command Action for Sexual Assault (reports that were made prior to FY09 and dispositions completed in FY09)	68
# Courts-martial charge preferred (Initiated)	39
# Nonjudicial punishments (Article 15 UCMJ)	15
# Administrative discharges	9
# Other administrative actions	5
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	
** Command Action Precluded or Declined for Sexual Assault: The command cannot or did not take action for one of the following reasons: Probable cause for only non-sexual assault offense, subject's or victim's death, victim declined to participate in the military justice action, insufficient evidence of any offense, statute of limitations, and unfounded.	
** Probable Cause for only Non-Sexual Assault Offense: The commander took action on a non-sexual assault offense because the allegations made did not meet the required elements of, or there was insufficient evidence for, any of the UCMJ offense constituting the SAPR definition of sexual assault, but allegations did meet the required elements of, and sufficient evidence for, another offense under the UCMJ (e.g., adultery, simple assault, assimilated crime under Article 134, UCMJ).	
** subject's Death: Commander action is precluded due to the death of the alleged subject.	
** Victim's Death: Commander action is precluded due to the death of the victim.	
** Victim Declined to Participate in the Military Justice Action: Commander action is precluded or declined because the victim has declined to further cooperate with military authorities or prosecutors in a military justice action. See insufficient evidence definition for clarification.	
** Insufficient Evidence of any Offense: Although the allegations made against the alleged subject meet the required elements of at least one of the criminal offenses that constitute the SAPR definition of sexual assault, there is not enough evidence to legally prove those elements beyond a reasonable doubt and proceed with the case. (Note: If the reason for concluding that there is insufficient evidence is because the victim declined to cooperate, then that reason for being unable to take action should be entered as "victim declined to participate in the military justice action", not that there was just "insufficient evidence.")	
** Statute of Limitations: Determination that pursuant to Article 43 of the UCMJ the applicable statute of limitations has expired and the case may not be prosecuted.	
** Unfounded: Determination that the allegations, as made against the subject, do not meet all the legal elements of any of the SAPR sexual assault offenses. These cases are either false or baseless.	
*** Pursuant to the commander's option identified in Rules for Courts Martial 306(c)(1) no action was taken.	

NAVY FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	FY09 TOTALS
# Service Member VICTIMS in Restricted Reports	173
# Reported sexual assaults AGAINST Service Member victims in the following categories	173
# Service Member on Service Member	122
# Non-Service Member on Service Member	27
# Unidentified subject on Service Member	24
# Reported sexual assaults occurring	173
# On military installation	52
# Off military installation	112
# Unidentified location	9
B. INCIDENT DETAILS	FY09 TOTALS
Length of time between sexual assault and Restricted Report	173
# Reports made within 3 days of sexual assault	93
# Reports made within 4 to 30 days after sexual assault	47
# Reports made within 31 to 365 days after sexual assault	20
# Reports made longer than 365 days after sexual assault	10
# Unknown	3
Time of sexual assault incident	173
# Midnight to 6 am	44
# 6 am to 6 pm	10
# 6 pm to midnight	30
# Unknown	89
Day of sexual assault incident	173
# Sunday	18
# Monday	10
# Tuesday	8
# Wednesday	12
# Thursday	6
# Friday	20
# Saturday	41
# Unknown	58
C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	FY09 TOTALS
# VICTIMS	173
# Army victims	3
# Navy victims	164
# Marines victims	2
# Air Force victims	2
# Coast Guard	0
# Unknown	2
D. DEMOGRAPHICS FOR FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 TOTALS
Gender of VICTIMS	173
# Male	23
# Female	149
# Unknown	1
Age of VICTIMS	173
# 16-19	55
# 20-24	78
# 25-34	26
# 35-49	2
# 50-64	0
# 65 and older	0
# Unknown	12
Grade of VICTIMS	173
# E1-E4	133
# E5-E9	22
# WO1-WO5	0
# O1-O3	5
# O4-O10	1
# Cadet/Midshipman	5
# Civilian	0
# Foreign national/military	0
# Unknown	7
Status of VICTIMS	173
# Active Duty	164
# Reserve (Activated)	2
# National Guard (Activated)	1
# Civilian	0
# Cadet/Midshipman	5
# Unknown	2

NAVY FY09 SERVICE REFERRALS FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY

NOTE: Support Services are for all victims in each category that were referred for services during the reporting period, regardless of when their report was made (current or prior quarters).

A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:		FY09 TOTALS
# MILITARY facilities		1,039
# Medical		399
# Counseling		407
# Legal		233
# CIVILIAN facilities (Referred by DoD)		529
# Medical		226
# Counseling		224
# Legal		79
# Cases where SAFEs were conducted		81
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam		18
# Military Victims making an UR that received service referrals for an incident that occurred prior to military service		109
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:		FY09 TOTALS
# Support service referrals for VICTIMS in the following categories		
# MILITARY facilities		309
# Medical		129
# Counseling		151
# Legal		29
# CIVILIAN facilities (Referred by DoD)		124
# Medical		42
# Counseling		73
# Legal		9
# Cases where SAFEs were conducted		36
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam		0
# Military Victims making a RR that received service referrals for an incident that occurred prior to military service		23
C. SUPPORT SERVICE REFERRALS TO NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:		FY09 TOTALS
# Support service referrals for VICTIMS in the following categories		
# MILITARY facilities		87
# Medical		36
# Counseling		38
# Legal		13
# CIVILIAN facilities (Referred by DoD)		91
# Medical		27
# Counseling		48
# Legal		16
# Cases where SAFEs were conducted		10
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam		3

NAVY COMBAT AREAS OF INTEREST - FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY

A. FY09 COMBAT AREAS OF INTEREST REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING MILITARY ME	FY09 Totals
# VICTIMS in FY09 Unrestricted Reports	43
# Service Member victims	41
# Non-Service Member victims	2
# Unrestricted Reports in the following categories	22
# Service Member on Service Member	10
# Service Member on Non-Service Member	1
# Non-Service Member on Service Member	6
# Unidentified Subject on Service Member	5
# Unrestricted Reports of sexual assault occurring	22
# On military installation	16
# Off military installation	6
# Unidentified location	0
# Investigations (From FY09 Unrestricted Reports)	22
# Pending completion as of 30-SEP-09	6
# Completed as of 30-SEP-09	16
# Restricted Reports	2
# Converted from Restricted Report to Unrestricted Report*	0
# FY08 RESTRICTED REPORTS REMAINING RESTRICTED	2
B. FY09 INCIDENT DETAILS	FY09 Totals
Length of time between sexual assault and Unrestricted Report	22
# Reports made within 3 days of sexual assault	14
# Reports made within 4 to 30 days after sexual assault	4
# Reports made within 31 to 365 days after sexual assault	3
# Reports made longer than 365 days after sexual assault	1
# Unknown	0
Time of sexual assault	22
# Midnight to 6 am	5
# 6 am to 6 pm	2
# 6 pm to midnight	11
# Unknown	4
Day of sexual assault	22
# Sunday	2
# Monday	2
# Tuesday	2
# Wednesday	3
# Thursday	5
# Friday	0
# Saturday	3
# Unknown	5
C. FY09 SUMMARY OF THE COMPLETED INVESTIGATIONS	FY09 Totals
# Completed investigations	16
# Investigations with more than one victim, subject, or both	3
# SUBJECTS in the completed investigations	20
# Your Service Member subjects	6
# Service Member subjects from other Services	1
# Non-Service Member subjects	6
# Unidentified subjects	7
# VICTIMS in the completed investigations	19
# Service Member victims	17
# Non-Service Member victims	1
# Service Member victims from other Services	1
# Unknown	0
D. FY09 FINAL DISPOSITIONS IN UNRESTRICTED REPORTS (Subjects)	FY09 Totals
# Final dispositions for FY09 SUBJECTS in the following categories	20
# DoD Action Precluded:	8
# Subject unknown	1
# Unfounded	2
# Civilian or Foreign Authority-Person subject to the UCMJ	0
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	5
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	10
# Probable cause for only non-sexual assault offense	1
# Subject deceased or deserted	0

# Victim deceased	0
# Victim declined to participate in the military justice action	8
# Insufficient evidence of any offense	1
# Statute of limitations	0
# Unfounded	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	0
# Pending completion as of 30-SEP-09	6
# Completed as of 31-SEP-09	2
# Evidence Supports Command Action for Sexual Assault (FY09 Subjects)	2
# Courts-Martial Charge Preferred (Initiated)	1
# Nonjudicial punishments (Article 15 UCMJ)	0
# Administrative discharges	1
# Other administrative actions	0
E. FINAL DISPOSITIONS FOR SUBJECTS (Reports made prior to FY09 that were completed in FY09)	FY09 Totals
# Investigations pending from reports made prior to FY09 that were completed in FY09	3
# Pre-FY09 Investigations pending as of 30-SEP-08 - STILL PENDING completion as of 30-SEP-09	0
# Pre-FY09 Investigations pending as of 30-SEP-08 - COMPLETED as of 30-SEP-09	3
# SUBJECTS for disposition in FY09 - from Pre-FY08 reports - as of 30-SEP-09	3
# Final FY09 DISPOSITIONS for SUBJECTS from reports made prior to FY09 and investigations were completed in FY09	3
# DoD Action Precluded:	1
# Subject unknown	0
# Unfounded	0
# Civilian or Foreign Authority-Person subject to the UCMJ	0
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	1
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	1
# Probable cause for only non-sexual assault offense	0
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	0
# Insufficient evidence of any offense	1
# Statute of limitations	0
# Unfounded	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	0
# Pending completion as of 30-SEP-09	0
# Completed as of 30-SEP-09	1
# Evidence Supports Command Action for Sexual Assault (reports that were made prior to FY09 and dispositions completed in FY09)	1
# Courts-Martial Charge Preferred (Initiated)	1
# Nonjudicial punishments (Article 15 UCMJ)	0
# Administrative discharges	0
# Other administrative actions	0
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	
** Command Action Precluded or Declined for Sexual Assault: The command cannot or did not take action for one of the following reasons: Probable cause for only non-sexual assault offense, subject's or victim's death, subject's desertion, victim declined to participate in the military justice action, insufficient evidence of any offense, statute of limitations, and unfounded.	
** Probable Cause for only Non-Sexual Assault Offense: The commander took action on a non-sexual assault offense because the allegations made did not meet the required elements of, or there was insufficient evidence for, any of the UCMJ offense constituting the SAPR definition of sexual assault, but allegations did meet the required elements of, and sufficient evidence for, another offense under the UCMJ (e.g., adultery, simple assault, assimilated	
** Subject's Death or Deserted: Commander action is precluded due to the death or desertion of the alleged subject.	
** Victim's Death: Commander action is precluded due to the death of the victim.	
** Victim Declined to Participate in the Military Justice Action: Commander action is precluded or declined because the victim has declined to further cooperate with military authorities or prosecutors in a military justice action. See insufficient evidence definition for clarification.	
** Insufficient Evidence of any Offense: Although the allegations made against the alleged subject meet the required elements of at least one of the criminal offenses that constitute the SAPR definition of sexual assault, there is not enough evidence to legally prove those elements beyond a reasonable doubt and proceed with the case. (Note: If the reason for concluding that there is insufficient evidence is because the victim declined to cooperate, then that reason for being unable to take action should be entered as "victim declined to participate in the military justice action", not that there was just "insufficient evidence.")	

**** Statute of Limitations:** Determination that pursuant to Article 43 of the UCMJ the applicable statute of limitations has expired and the case may not be prosecuted.

****Unfounded:** Determination that the allegations, as made against the subject, do not meet all the legal elements of any of the SAPR sexual assault offenses. These cases are either false or baseless.

***** Pursuant to the Rules for Courts Martial, Section 306(c)(1), the commander declined to take action against the subject.**

NAVY COMBAT AREAS OF INTEREST - FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 COMBAT AREAS OF INTEREST - RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	FY09 Totals
# Service Member VICTIMS in Restricted Reports	2
# Reported sexual assaults AGAINST Service Member victims in the following categories	2
# Service Member on Service Member	2
# Non-Service Member on Service Member	0
# Unidentified subject on Service Member	0
# Reported sexual assaults occurring	2
# On military installation	2
# Off military installation	0
# Unidentified location	0
B. FY09 INCIDENT DETAILS	FY09 Totals
Length of time between sexual assault and Restricted Report	2
# Reports made within 3 days of sexual assault	2
# Reports made within 4 to 30 days after sexual assault	0
# Reports made within 31 to 365 days after sexual assault	0
# Reports made longer than 365 days after sexual assault	0
# Unknown	0
Time of sexual assault incident	2
# Midnight to 6 am	2
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	0
Day of sexual assault incident	2
# Sunday	0
# Monday	0
# Tuesday	0
# Wednesday	1
# Thursday	0
# Friday	0
# Saturday	1
# Unknown	0
C. FY09 RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	FY09 Totals
# VICTIMS	2
# Army	0
# Air Force	0
# Navy	2
# Marines	0
# Unknown	0
D. FY09 DEMOGRAPHICS FOR FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 Totals
Gender of VICTIMS	2
# Male	0
# Female	2
# Unknown	0
Age of VICTIMS	2
# 16-19	0
# 20-24	1
# 25-34	1
# 35-49	0
# 50-64	0
# 65 and older	0
# Unknown	0
Grade of VICTIMS	2
# E1-E4	0
# E5-E9	2
# WO1-WO5	0
# O1-O3	0
# O4-O10	0
# Cadet/Midshipman	0
# Civilian	0
# Foreign national/military	0
# Unknown	0
Status of VICTIMS	2
# Active Duty	2
# Reserve (Activated)	0
# National Guard (Activated)	0
# Civilian	0
# Cadet/Midshipman	0
# Unknown	0
NOTE:	

NAVY COMBAT AREAS OF INTEREST - LOCATION OF FY09 RESTRICTED REPORTS	
E. TOTAL # FY09 COMBAT AREAS OF INTEREST -RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 Totals
<i>TOTAL RESTRICTED ASSAULTS IN COMBAT AREAS OF INTEREST</i>	2
Arabian Peninsula, Iraq & Red Sea	
Bahrain	1
Iraq	0
Jordan	0
Lebanon	0
Syria	0
Yemen	0
Djibouti	1
Egypt	0
Kuwait	0
Oman	0
Qatar	0
Saudi Arabia	0
United Arab Emirates	0
South Asia	
Iran	0
Pakistan	0
Afghanistan	0
NOTE:	

NAVY COMBAT AREAS OF INTEREST: FY09 SERVICE REFERRALS FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY

NOTE: Support Services are for all victims in each category that were referred for services during the reporting period, regardless of when their report was made (current or prior quarters).

A. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	30
# Medical	11
# Counseling	13
# Legal	6
# CIVILIAN facilities (Referred by DoD)	1
# Medical	0
# Counseling	1
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims in UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS FROM RESTRICTED REPORTS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	10
# Medical	5
# Counseling	5
# Legal	0
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	1
# Military Victims in RR that received service referrals for an incident that occurred prior to military service	0
C. SUPPORT SERVICE REFERRALS FOR NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	1
# Medical	0
# Counseling	0
# Legal	1
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0

US MARINE CORPS FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY	
A. FY09 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING MILITARY MEMBERS (BY or AGAINST Service Members)	FY09 Totals
# VICTIMS in FY09 Unrestricted Reports	338
# Service Member victims	226
# Non-Service Member victims	112
# Unrestricted Reports in the following categories	299
# Service Member on Service Member	165
# Service Member on Non-Service Member	108
# Non-Service Member on Service Member	9
# Unidentified Subject on Service Member	17
# Unrestricted Reports of sexual assault occurring	299
# On military installation	178
# Off military installation	119
# Unidentified location	2
# Investigations (From FY09 Unrestricted Reports)	299
# Pending completion as of 30-SEP-09	164
# Completed as of 30-SEP-09	135
# Restricted Reports	35
# Converted from Restricted Report to Unrestricted Report*	3
# FY09 RESTRICTED REPORTS REMAINING RESTRICTED	32
B. INCIDENT DETAILS	FY09 Totals
Length of time between sexual assault and Unrestricted Report	299
# Reports made within 3 days of sexual assault	166
# Reports made within 4 to 30 days after sexual assault	60
# Reports made within 31 to 365 days after sexual assault	43
# Reports made longer than 365 days after sexual assault	11
# Unknown	19
Time of sexual assault	299
# Midnight to 6 am	95
# 6 am to 6 pm	13
# 6 pm to midnight	54
# Unknown	137
Day of sexual assault	299
# Sunday	59
# Monday	28
# Tuesday	23
# Wednesday	23
# Thursday	23
# Friday	40
# Saturday	61
# Unknown	42
C. FY09 SUMMARY OF THE COMPLETED INVESTIGATIONS	FY09 Totals
# Completed investigations	135
# Investigations with more than one victim, subject, or both	17
# SUBJECTS in the completed investigations	146
# Your Service Member subjects	128
# Service Member subjects from other Services	3
# Non-Service Member subjects	4
# Unidentified subjects	11
# VICTIMS in the completed investigations	143
# Service Member victims	81
# Non-Service Member victims	57
# Service Member victims from other Services	5
# Unknown	0
D. FY09 FINAL DISPOSITIONS IN UNRESTRICTED REPORTS (Subjects)	FY09 Totals
# Final dispositions for FY09 SUBJECTS in the following categories	146
DoD Action Precluded:	46
# Subject unknown	9
# Unfounded	10
# Civilian or Foreign Authority-Person subject to the UCMJ	24
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	3
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	59
# Probable cause for only non-sexual assault offense	8
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	30
# Insufficient evidence of any offense	5
# Statute of limitations has expired	0
# Unfounded	1
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	15
# Pending completion as of 30-SEP-09	194
# Completed as of 30-SEP-09	41
# Evidence Supports Command Action for Sexual Assault (FY09 Subjects)	41
# Courts-martial charge preferred (Initiated)	23
# Nonjudicial punishments (Article 15 UCMJ)	9
# Administrative discharges	0
# Other administrative actions	9

E. FINAL DISPOSITIONS FOR SUBJECTS IN UNRESTRICTED REPORTS (Reports made prior to FY09 that were completed in FY09)	FY09 Totals
# Investigations pending from reports made from FY04 to FY08 that were completed as of 30-SEP-09	116
# Pre-FY09 Investigations pending STILL PENDING completion as of 30-SEP-09	19
# Pre-FY09 Investigations COMPLETED as of 30-SEP-09	97
# SUBJECTS for disposition in FY09 - from Pre-FY09 reports - resolved as of 30-SEP-09	116
# Final FY09 DISPOSITIONS for SUBJECTS from FY04 to FY08 reports and investigations that were completed in FY09	116
DoD Action Precluded:	13
# Subject unknown	3
# Unfounded	1
# Civilian or Foreign Authority-Person subject to the UCMJ	5
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	4
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	37
# Probable cause for only non-sexual assault offense	2
# Subject deceased or deserted	1
# Victim deceased	0
# Victim declined to participate in the military justice action	12
# Insufficient evidence of any offense	19
# Statute of limitations	0
# Unfounded	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	3
# Pending completion as of 30-SEP-09	20
# Completed as of 30-SEP-09	66
# Evidence Supports Command Action for Sexual Assault (reports that were made prior to FY09 and dispositions completed in FY09)	66
# Courts-martial charge preferred (Initiated)	41
# Nonjudicial punishments (Article 15 UCMJ)	11
# Administrative discharges	6
# Other administrative actions	8
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	
** Command Action Precluded or Declined for Sexual Assault: The command cannot or did not take action for one of the following reasons: Probable cause for only non-sexual assault offense, subject's or victim's death, victim declined to participate in the military justice action, insufficient evidence of any offense, statute of limitations, and unfounded.	
** Probable Cause for only Non-Sexual Assault Offense: The commander took action on a non-sexual assault offense because the allegations made did not meet the required elements of, or there was insufficient evidence for, any of the UCMJ offense constituting the SAPR definition of sexual assault, but allegations did meet the required elements of, and sufficient evidence for, another offense under the UCMJ (e.g., adultery, simple assault, assimilated crime under Article 134, UCMJ).	
** subject's Death: Commander action is precluded due to the death of the alleged subject.	
** Victim's Death: Commander action is precluded due to the death of the victim.	
** Victim Declined to Participate in the Military Justice Action: Commander action is precluded or declined because the victim has declined to further cooperate with military authorities or prosecutors in a military justice action. See insufficient evidence definition for clarification.	
** Insufficient Evidence of any Offense: Although the allegations made against the alleged subject meet the required elements of at least one of the criminal offenses that constitute the SAPR definition of sexual assault, there is not enough evidence to legally prove those elements beyond a reasonable doubt and proceed with the case. (Note: If the reason for concluding that there is insufficient evidence is because the victim declined to cooperate, then that reason for being unable to take action should be entered as "victim declined to participate in the military justice action", not that there was just "insufficient evidence.")	
** Statute of Limitations: Determination that pursuant to Article 43 of the UCMJ the applicable statute of limitations has expired and the case may not be prosecuted.	
**Unfounded: Determination that the allegations, as made against the subject, do not meet all the legal elements of any of the SAPR sexual assault offenses. These cases are either false or baseless.	
*** Pursuant to the commander's option identified in Rules for Courts Martial 306(c)(1) no action was taken.	

U.S. MARINE CORPS FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	FY09 TOTALS
# Service Member VICTIMS in Restricted Reports	32
# Reported sexual assaults AGAINST Service Member victims in the following categories	32
# Service Member on Service Member	23
# Non-Service Member on Service Member	4
# Unidentified subject on Service Member	5
# Reported sexual assaults occurring	32
# On military installation	16
# Off military installation	14
# Unidentified location	2
B. INCIDENT DETAILS	FY09 TOTALS
Length of time between sexual assault and Restricted Report	32
# Reports made within 3 days of sexual assault	8
# Reports made within 4 to 30 days after sexual assault	9
# Reports made within 31 to 365 days after sexual assault	12
# Reports made longer than 365 days after sexual assault	3
# Unknown	0
Time of sexual assault incident	32
# Midnight to 6 am	14
# 6 am to 6 pm	1
# 6 pm to midnight	14
# Unknown	3
Day of sexual assault incident	32
# Sunday	5
# Monday	0
# Tuesday	1
# Wednesday	0
# Thursday	7
# Friday	8
# Saturday	11
# Unknown	0
C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	FY09 TOTALS
# VICTIMS	32
# Army victims	0
# Navy victims	2
# Marines victims	30
# Air Force victims	0
# Coast Guard	0
# Unknown	0
D. DEMOGRAPHICS FOR FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 TOTALS
Gender of VICTIMS	32
# Male	7
# Female	25
# Unknown	0
Age of VICTIMS	32
# 16-19	7
# 20-24	20
# 25-34	4
# 35-49	1
# 50-64	0
# 65 and older	0
# Unknown	0
Grade of VICTIMS	32
# E1-E4	27
# E5-E9	4
# WO1-WO5	0
# O1-O3	1
# O4-O10	0
# Cadet/Midshipman	0
# Civilian	0
# Foreign national/military	0
# Unknown	0
Status of VICTIMS	32
# Active Duty	30
# Reserve (Activated)	2
# National Guard (Activated)	0
# Civilian	0
# Cadet/Midshipman	0
# Unknown	0

U.S. MARINE CORPS FY09 SERVICE REFERRALS FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY

NOTE: Support Services are for all victims in each category that were referred for services during the reporting period, regardless of when their report was made (current or prior quarters).

A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	
# Medical	108
# Counseling	99
# Legal	57
# CIVILIAN facilities (Referred by DoD)	
# Medical	43
# Counseling	42
# Legal	21
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims making an UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	28
# Medical	12
# Counseling	16
# Legal	0
# CIVILIAN facilities (Referred by DoD)	10
# Medical	1
# Counseling	9
# Legal	0
# Cases where SAFEs were conducted	2
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims making a RR that received service referrals for an incident that occurred prior to military service	0
C. SUPPORT SERVICE REFERRALS TO NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	0
# Medical	0
# Counseling	0
# Legal	0
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0

US MARINE CORPS COMBAT AREAS OF INTEREST - FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY

A. FY09 COMBAT AREAS OF INTEREST REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING MILITARY ME		FY09 Totals
# VICTIMS in FY09 Unrestricted Reports		9
# Service Member victims		8
# Non-Service Member victims		1
# Unrestricted Reports in the following categories		7
# Service Member on Service Member		5
# Service Member on Non-Service Member		1
# Non-Service Member on Service Member		0
# Unidentified Subject on Service Member		1
# Unrestricted Reports of sexual assault occurring		7
# On military installation		7
# Off military installation		0
# Unidentified location		0
# Investigations (From FY09 Unrestricted Reports)		7
# Pending completion as of 30-SEP-09		3
# Completed as of 30-SEP-09		4
# Restricted Reports		
# Converted from Restricted Report to Unrestricted Report*		
# FY08 RESTRICTED REPORTS REMAINING RESTRICTED		
B. FY09 INCIDENT DETAILS		FY09 Totals
Length of time between sexual assault and Unrestricted Report		7
# Reports made within 3 days of sexual assault		5
# Reports made within 4 to 30 days after sexual assault		1
# Reports made within 31 to 365 days after sexual assault		1
# Reports made longer than 365 days after sexual assault		0
# Unknown		0
Time of sexual assault		7
# Midnight to 6 am		4
# 6 am to 6 pm		0
# 6 pm to midnight		1
# Unknown		2
Day of sexual assault		7
# Sunday		0
# Monday		2
# Tuesday		0
# Wednesday		0
# Thursday		0
# Friday		0
# Saturday		4
# Unknown		1
C. FY09 SUMMARY OF THE COMPLETED INVESTIGATIONS		FY09 Totals
# Completed investigations		4
# Investigations with more than one victim, subject, or both		1
# SUBJECTS in the completed investigations		4
# Your Service Member subjects		4
# Service Member subjects from other Services		0
# Non-Service Member subjects		0
# Unidentified subjects		0
# VICTIMS in the completed investigations		6
# Service Member victims		5
# Non-Service Member victims		0
# Service Member victims from other Services		1
# Unknown		0
D. FY09 FINAL DISPOSITIONS IN UNRESTRICTED REPORTS (Subjects)		FY09 Totals
# Final dispositions for FY09 SUBJECTS in the following categories		4
# DoD Action Precluded:		0
# Subject unknown		0
# Unfounded		0
# Civilian or Foreign Authority-Person subject to the UCMJ		0
# Civilian or Foreign Authority-Person NOT subject to the UCMJ		0
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**		2
# Probable cause for only non-sexual assault offense		0
# Subject deceased or deserted		0
# Victim deceased		0
# Victim declined to participate in the military justice action		0
# Insufficient evidence of any offense		0
# Statute of limitations		0
# Unfounded		1

# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	1
# Pending completion as of 30-SEP-09	3
# Completed as of 31-SEP-09	2
# Evidence Supports Command Action for Sexual Assault (FY09 Subjects)	2
# Courts-Martial Charge Preferred (Initiated)	1
# Nonjudicial punishments (Article 15 UCMJ)	0
# Administrative discharges	0
# Other administrative actions	1
E. FINAL DISPOSITIONS FOR SUBJECTS (Reports made prior to FY09 that were completed in FY09)	FY09 Totals
# Investigations pending from reports made prior to FY09 that were completed in FY09	4
# Pre-FY09 Investigations pending as of 30-SEP-08 - STILL PENDING completion as of 30-SEP-09	0
# Pre-FY09 Investigations pending as of 30-SEP-08 - COMPLETED as of 30-SEP-09	4
# SUBJECTS for disposition in FY09 - from Pre-FY08 reports - as of 30-SEP-09	4
# Final FY09 DISPOSITIONS for SUBJECTS from reports made prior to FY09 and investigations were completed in FY09	4
# DoD Action Precluded:	1
# Subject unknown	1
# Unfounded	0
# Civilian or Foreign Authority-Person subject to the UCMJ	0
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	0
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	0
# Probable cause for only non-sexual assault offense	0
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	0
# Insufficient evidence of any offense	0
# Statute of limitations	0
# Unfounded	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	0
# Pending completion as of 30-SEP-09	0
# Completed as of 30-SEP-09	3
# Evidence Supports Command Action for Sexual Assault (reports that were made prior to FY09 and dispositions completed in FY09)	3
# Courts-Martial Charge Preferred (Initiated)	3
# Nonjudicial punishments (Article 15 UCMJ)	0
# Administrative discharges	0
# Other administrative actions	0
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	
** Command Action Precluded or Declined for Sexual Assault: The command cannot or did not take action for one of the following reasons: Probable cause for only non-sexual assault offense, subject's or victim's death, subject's desertion, victim declined to participate in the military justice action, insufficient evidence of any offense, statute of limitations, and unfounded.	
** Probable Cause for only Non-Sexual Assault Offense: The commander took action on a non-sexual assault offense because the allegations made did not meet the required elements of, or there was insufficient evidence for, any of the UCMJ offense constituting the SAPR definition of sexual assault, but allegations did meet the required elements of, and sufficient evidence for, another offense under the UCMJ (e.g., adultery, simple assault, assimilated	
** Subject's Death or Deserted: Commander action is precluded due to the death or desertion of the alleged subject.	
** Victim's Death: Commander action is precluded due to the death of the victim.	
** Victim Declined to Participate in the Military Justice Action: Commander action is precluded or declined because the victim has declined to further cooperate with military authorities or prosecutors in a military justice action. See insufficient evidence definition for clarification.	
** Insufficient Evidence of any Offense: Although the allegations made against the alleged subject meet the required elements of at least one of the criminal offenses that constitute the SAPR definition of sexual assault, there is not enough evidence to legally prove those elements beyond a reasonable doubt and proceed with the case. (Note: If the reason for concluding that there is insufficient evidence is because the victim declined to cooperate, then that reason for being unable to take action should be entered as "victim declined to participate in the military justice action", not that there was just "insufficient evidence.")	
** Statute of Limitations: Determination that pursuant to Article 43 of the UCMJ the applicable statute of limitations has expired and the case may not be prosecuted.	
** Unfounded: Determination that the allegations, as made against the subject, do not meet all the legal elements of any of the SAPR sexual assault offenses. These cases are either false or baseless.	
*** Pursuant to the Rules for Courts Martial, Section 306(c)(1), the commander declined to take action against the subject.	

U.S. MARINE CORPS COMBAT AREAS OF INTEREST - FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 COMBAT AREAS OF INTEREST - RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	FY09 Totals
# Service Member VICTIMS in Restricted Reports	0
# Reported sexual assaults AGAINST Service Member victims in the following categories	0
# Service Member on Service Member	0
# Non-Service Member on Service Member	0
# Unidentified subject on Service Member	0
# Reported sexual assaults occurring	0
# On military installation	0
# Off military installation	0
# Unidentified location	0
B. FY09 INCIDENT DETAILS	FY09 Totals
Length of time between sexual assault and Restricted Report	0
# Reports made within 3 days of sexual assault	0
# Reports made within 4 to 30 days after sexual assault	0
# Reports made within 31 to 365 days after sexual assault	0
# Reports made longer than 365 days after sexual assault	0
# Unknown	0
Time of sexual assault incident	0
# Midnight to 6 am	0
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	0
Day of sexual assault incident	0
# Sunday	0
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	0
# Saturday	0
# Unknown	0
C. FY09 RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	FY09 Totals
# VICTIMS	0
# Army	0
# Air Force	0
# Navy	0
# Marines	0
# Unknown	0
D. FY09 DEMOGRAPHICS FOR FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 Totals
Gender of VICTIMS	0
# Male	0
# Female	0
# Unknown	0
Age of VICTIMS	0
# 16-19	0
# 20-24	0
# 25-34	0
# 35-49	0
# 50-64	0
# 65 and older	0
# Unknown	0
Grade of VICTIMS	0
# E1-E4	0
# E5-E9	0
# WO1-WO5	0
# O1-O3	0
# O4-O10	0
# Cadet/Midshipman	0
# Civilian	0
# Foreign national/military	0
# Unknown	0
Status of VICTIMS	0
# Active Duty	0
# Reserve (Activated)	0
# National Guard (Activated)	0
# Civilian	0
# Cadet/Midshipman	0
# Unknown	0
NOTE:	

U.S. MARINE CORPS COMBAT AREAS OF INTEREST - LOCATION OF FY09 RESTRICTED REPORTS	
E. TOTAL # FY09 COMBAT AREAS OF INTEREST -RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 Totals
<i>TOTAL RESTRICTED ASSAULTS IN COMBAT AREAS OF INTEREST</i>	0
Arabian Peninsula, Iraq & Red Sea	
Bahrain	0
Iraq	0
Jordan	0
Lebanon	0
Syria	0
Yemen	0
Djibouti	0
Egypt	0
Kuwait	0
Oman	0
Qatar	0
Saudi Arabia	0
United Arab Emirates	0
South Asia	
Iran	0
Pakistan	0
Afghanistan	0
NOTE:	

U.S. MARINE CORPS COMBAT AREAS OF INTEREST: FY09 SERVICE REFERRALS FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY

NOTE: Support Services are for all victims in each category that were referred for services during the reporting period, regardless of when their report was made (current or prior quarters).

A. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	0
# Medical	0
# Counseling	0
# Legal	0
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims in UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS FROM RESTRICTED REPORTS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	0
# Medical	0
# Counseling	0
# Legal	0
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims in RR that received service referrals for an incident that occurred prior to military service	0
C. SUPPORT SERVICE REFERRALS FOR NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	0
# Medical	0
# Counseling	0
# Legal	0
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0

Fiscal Year (FY) 2009 Sexual Assault Synopses Report Data Call for Sexual Assaults in the Military

Part 1. UNITED STATES NAVY

Executive Summary

Please provide a general overview of the synopses in the report narrative that includes highlights of significant trends or observations in the investigations. Particular trends of interest include information such as:

- **Rank differences between subject/victim,**
- **Alcohol involvement, if known**
- **Uniform Code of Military Justice (UCMJ) violation investigated vs. Final disposition of subject**

There were 231 investigations initiated and subsequently closed during FY09. Of these investigations, there were 134 investigations where the rank differences could not be determined. There were 67 cases that involved an active duty member with a civilian, 30 where the subject's rank was not identified, and 37 that involved subjects and victims who were active duty but the subject's rank was not identified (e.g., victim reports being sexually assaulted by military member with no further information provided). The remaining 97 investigations where the rank difference could be determined involved 37 where the subject and victim were the same rank, 53 where the subject was higher in rank than the victim and 7 where the victim was higher in rank than the subject.

There were 116 investigations where the age range difference between the subject and victim could not be determined. The age ranges included in the analysis were: 16-19yrs, 20-24yrs, 25-34yrs, 35-49yrs, 50-64yrs, and 65yrs and over. When it could be determined, the subject and victim fell into the same age range in 48 of the investigations. The subject was older than the victim in 55 of the investigations and the victim was older than the subject in 12 of the investigations.

There were 68 investigations where it can't be determined whether or not any alcohol or drug use was involved at the time of the sexual assault. Of the remaining 163, there was no alcohol or drug use reported to have been involved in 47 investigations. In 82 investigations, alcohol consumption by both the subject and victim was reported, 15 investigations reported alcohol consumption by only the subject and the remaining 15 investigation reported alcohol consumption by only the victim. In 2 cases, the victim was reported to have taken over-the-counter or prescription medication. The remaining 2 cases involved all parties consuming both alcohol and narcotics.

Where alcohol use by both the subject and victim was involved, 40 were aggravated sexual assault allegations, 12 were abusive sexual contact allegations, 12 were non-consensual sodomy allegations, 9 were rape allegations, 8 were wrongful sexual contact allegations and 1 was an aggravated sexual contact allegation.

In the 82 investigations where both subject and victim were reported to have consumed alcohol, 78 involved acquaintances or friends, 2 involved a co-worker, 1 involved a stranger, and in 1 the relationship could no be determined. In the 15 investigations where only the subject was reported to have consumed alcohol, 8 involved acquaintances or friends, 2 involved a co-worker, 2 involved a stranger, and 3 involved prior romantic partners. Of the 13 investigations where only the victim had consumed alcohol, 9 involved acquaintances or friends, 1 involved a co-worker, 3 involved a stranger, and in 2 the relationship could not be determined.

Fiscal Year (FY) 2009 Sexual Assault Synopses Report Data Call for Sexual Assaults in the Military

Part 2. UNITED STATES MARINE CORPS

Executive Summary

Please provide a general overview of the synopses in the report narrative that includes highlights of significant trends or observations in the investigations. Particular trends of interest include information such as:

- **Rank differences between subject/victim,**
- **Alcohol involvement, if known**
- **Uniform Code of Military Justice (UCMJ) violation investigated vs. Final disposition of subject**

There were 135 investigations initiated and subsequently closed during FY09. Of these investigations, there were 72 investigations where the rank differences could not be determined. There were 58 cases that involved an active duty member with a civilian, 10 where the subject's rank was not identified, and 4 that involved subjects and victims who were active duty but the subject's rank was not identified (e.g., victim reports being sexually assaulted by military member with no further information provided). The remaining 63 investigations where the rank difference could be determined involved 20 where the subject and victim were the same rank, 31 where the subject was higher in rank than the victim and 12 where the victim was higher in rank than the subject.

There were 62 investigations where the age range difference between the subject and victim could not be determined. The age ranges included in the analysis were: 16-19yrs, 20-24yrs, 25-34yrs, 35-49yrs, 50-64yrs, and 65yrs and over. When it could be determined, the subject and victim fell into the same age range in 29 of the investigations. The subject was older than the victim in 37 of the investigations and the victim was older than the subject in 7 of the investigations.

There were 38 investigations where it can't be determined whether or not any alcohol or drug use was involved at the time of the sexual assault. Of the remaining 97, there was no alcohol or drug use reported to have been involved in 14 investigations. In 56 investigations, alcohol consumption by both the subject and victim was reported, 13 investigations reported alcohol consumption by only the subject and the remaining 13 investigations reported alcohol consumption by only the victim. In 1 case, the victim was reported to have taken prescription narcotics.

Where alcohol use by both the subject and victim was involved, 41 were aggravated sexual assault allegations, 1 was an indecent assault allegation, 4 were non-consensual sodomy allegations, 5 were rape allegations, and 5 were wrongful sexual contact allegations. In the 13 investigations where only the subject was reported to have consumed alcohol, 2 were aggravated sexual assault allegations, 1 was non-consensual sodomy, 1 was rape and 9 were

wrongful sexual contact. In the 13 investigations where only the victim was reported to have consumed alcohol, 10 were aggravated sexual assault, 1 was aggravated sexual contact, 1 was indecent assault and 1 was wrongful sexual contact.

In the 56 investigations where both subject and victim were reported to have consumed alcohol, 46 involved acquaintances or friends, 4 involved a stranger, 2 involved prior romantic partners, 1 involved an estranged spouse, and in 3 the relationship could not be determined. In the 13 investigations where only the subject was reported to have consumed alcohol, 10 involved acquaintances or friends, 1 involved a co-worker, 1 involved a stranger, and 1 involved prior romantic partners. Of the 13 investigations where only the victim had consumed alcohol, 7 involved acquaintances or friends, 1 involved a co-worker, 1 involved a stranger, and in 4 the relationship could not be determined.

**FY09 Sexual Assault Synopses Report
United States Navy**

Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
1	Q1	E3	E2	M	F	Wrongful Sexual Contact (Article 120)	Administrative Discharges	CONUS on-base: Victim was asleep in her berthing room when she awoke to Subject (with alcohol on his breath) groping her vagina and breasts under her pajamas. Victim told Subject no and he left after 20 minutes. Subject repeated the behavior on two subsequent occasions. Subject admitted to the allegations and was administratively separated. Subject received a General Discharge (Under Honorable Conditions).
2	Q3	E1	CIV	M	F	Aggravated Sexual Assault (Article 120)	Administrative Discharges	CONUS on-base: Victim reported that after getting drunk at a barracks party with a Subject whose name she didn't know, she let him digitally penetrate her vagina. She then went to the bathroom and vomitted from too much alcohol when Subject came in and raped her. Subject claimed all sex was consensual. Command indicated Subject would be administratively separated, given a general discharge from the USN.
3	Q4	E4	E3 / E4 (2)	M	M (3)	Wrongful Sexual Contact (Article 120)	Administrative Discharges	CONUS on-base: Victim #1 awoke to Subject touching his genitals; Victims #2&3 were in the bathroom (at separate times) when they were approached by Subject who ran his hand over Victim #2's genitals and touched Victim #3's penis while reaching under the stall. Subject admitted all to NCIS. Subject ADSEP from USN; Command elected Not to proceed with NJP because of his separation.
4	Q4	E1	E1	M	F	Aggravated Sexual Assault (Article 120)	Administrative Discharges	CONUS on-base: When Command asked Victim why Subject(on Quarters restriction) was seen leaving her barracks room early in a.m, she admitted letting him in to have sex. Both Subject and Victim went before Disciplinary Review Board for violating Article 92, when Victim alleged Subject had raped her. Subject denied, showing some of the cell phone text messages the Victim sent to him that night indicating she wanted to have sex with him. Subject will be administratively separated; Victim later signed a VPS.
5	Q4	E6	E3	M	F	Wrongful Sexual Contact (Article 120)	Administrative Discharges	OCONUS on-base: While bowling with Subject(co-worker), who was drunk, Subject grabbed Victim's buttocks. During the past year, when drunk, Subject offered Victim money to have sex and made inappropriate comments about 11-12 year old girls. Witnesses affirmed Victim's statements. Subject administratively separated from USN.
6	Q4	UNK	E5	F	M	Aggravated Sexual Assault (Article 120)	Administrative Discharges	CONUS on-base: Victim reported awaking in barracks bed to Subject having sex with him. Subject admitted getting drunk and having sex with classmates in her barracks room. Victim signed VPS; Subject was reviewed at Article 15 and was administratively separated from the USN.
7	Q1	FN	E4	M	F	Abusive Sexual Contact (Article 120)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	OCONUS off-base: Victim reported being groped by taxi driver (FN) in Dubai while in route to a friend's residence. Subject also attempted to kiss the victim's hand and pull her head to his lap area. Dubai police conducting the investigation; no further information provided.
8	Q3	CIV	E5	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	CONUS off-base: Victim's ex-husband came to her house and tried to convince her to have sex with him. When she refused, he raped her. Civilian authorities prosecuted Subject and he was found guilty of 2nd degree sexual assault and sentenced to jail, registration as a sex offender and ordered to obtain treatment.
9	Q2	CIV	E2	M	M	Non-Consensual Sodomy (Article 125)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	CONUS off-base: Victim reported he was drugged and sodomized at his uncle's house. Victim later recanted saying he had consensual sex with male friend of the family and didn't want his parents to find out. NJ State police issued Victim a summons for knowingly making a false report.
10	Q3	FN	E5	M	M	Wrongful Sexual Contact (Article 120)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	OCONUS off-base: Victim reported leaving a local Strip Club, getting into what he thought was a taxi. The car's driver agreed to drive him to the Naval Air Station and when they arrived at the gate, he grabbed Victim's groin. Victim pushed his hand away and Subject asked to see Victim's genitals. Victim quickly exited the car and reported incident to Gate MPs who observed Subject's erratic driving, copying down his license plate. Italian authorities assumed investigation; despite ongoing NCIS inquiries, the Italian Civilian Magistrate is still considering if charges should be filed against Subject; NCIS case closed.

**FY09 Sexual Assault Synopses Report
United States Navy**

Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
11	Q4	FN	E5	M	F	Abusive Sexual Contact (Article 120)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	OCONUS on-base: Subject(Djibouti national/interpreter) and Victim watched DVDs in Subject's quarters aboard ship. Victim fell asleep and awoke to find him on top of her, rubbing her crotch. She resisted and he pinned her to the floor and pressed his penis against her several times. She got away and reported to Command. SAUSA cited lack of US jurisdiction over Subject; no extradition or prosecution of him will occur.
12	Q4	CIV	UNK	M	M	Non-Consensual Sodomy (Article 125)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	CONUS off-base: Subject and Victim drank heavily at a gay bar then went to a hotel room where Subject asked Victim if he wanted to watch porn while he performed oral sex on Victim. Victim refused, but later awoke to Subject performing oral sex on him. Victim went back to sleep. Subject denied sexual activity but admitted sleeping with Victim and requested to take a polygraph. Civilian authorities declined to prosecute due to lack of evidence.
13	Q2	UNK	E1	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	CONUS off-base: Victim reported she drank heavily at a bar with friends but didn't have any recollection of events that followed, but woke up alone in a motel room across the street from the bar. Local authorities assume the case; surveillance video identified Subject she'd left bar with. Subject reported he met Victim at the bar and she agreed to sleep with him. He picked up condoms and they went to the motel together and engaged in consensual intercourse twice. She asked to stay in the room and he left her there. Victim showed her desire not to participate with the investigation by failing to return the investigator's messages.
14	Q3	FN	E5	M	F	Aggravated Sexual Contact (Article 120)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	OCONUS on-base: Victim reported that after a swim in the pool, she went to the shower where Subject (FN - custodian) grabbed her breasts from behind her and tried to pull her top down and kiss her. Subject fled as a witness entered the bathroom. Subject denied; Victim declined to pursue.
15	Q3	FN	E4	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	OCONUS off-base: On port visit Victim got massage at Turkish bath from Subject (Turkish national) who digitally penetrated Victim's vagina with his finger. Victim felt threatened and did nothing until she reported to her command. National police assumed investigation. Victim identified Subject but refused to file a complaint. Prosecutor indicated due to Victim's unwillingness to cooperate, no further action would be taken.
16	Q3	FN	E4	M	F	Abusive Sexual Contact (Article 120)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	OCONUS off-base: On port visit at a café, Subject (Turkish national) tried to kiss Victim who then fled to the restroom. Victim came out and Subject pulled Victim's shirt down and kissed her breasts. Subject let Victim go as USN male arrived. Victim reported the incident to command. National police assumed jurisdiction. Victim identified Subject but refused to file a complaint. Due to Victim's unwillingness to cooperate, prosecution was not pursued.
17	Q3	FN	E6	M	F	Wrongful Sexual Contact (Article 120)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	OCONUS on-base: As Victim went through crowd at USO area on the ship, the Subject (Civ FN Contractor) grabbed her groin area. Angered, the Victim stopped Subject and asked why he did it. Subject swore and walked away. Victim reported and identified Subject in a line-up, but later decided not to pursue with foreign law enforcement. Subject's employer gave the subject a "Final Warning" Letter.
18	Q3	FN	E6	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person NOT Subject to the UCMJ	OCONUS off-base: Victim who was drunk talked and exchanged phone numbers with Subject (Egyptian) at a social. Victim said they went behind curtains and Subject put his hand into her pants and digitally penetrating her vagina. Witness indicated the act was consensual. Jordanian police deported the Subject.
19	Q1	UNK	E2	M	F	Abusive Sexual Contact (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim reported drinking at a party and sleeping on the couch later awaking to Subject's hand in her pants fondling her vagina. Subject claims Victim put his hand there. Victim reported to Sheriff's office; civilian authorities declined prosecution.

**FY09 Sexual Assault Synopses Report
United States Navy**

Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
20	Q2	UNK	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim reported drinking with her brother(USN) and his two male friends (USAF) at his apartment. Victim awoke to unknown male digitally penetrating her vagina. Victim reported incident to civilian authorities. DNA tests were inconclusive; insufficient evidence to provide probable cause and investigation was closed with no further action.
21	Q4	E1	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Hotel staff heard Victim's screams and found Subject with his pants at his ankles on top of Victim inside hotel elevator. Civilian court found Subject Guilty of Aggravated Battery; sentenced to 18 months probation, must pay Court costs and have substance abuse and psychiatric/psychological examinations.
22	Q1	E3	CIV	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim reported being asleep in her bed, her sister let Subject sleep on their couch. Victim awoke to Subject on top of her. Subject forcibly penetrated her vagina and attempted to penetrate her anally. Subject arrested and charged with rape by civilian authorities.
23	Q4	UNK	CIV	M	F	Abusive Sexual Contact (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Subject walked Victim, who was intoxicated, home from a party. Victim awoke to find she was alone and nude experiencing vaginal soreness. A sexual assault forensic exam was performed and local authorities assumed the investigation. Neither the Subject or Victim have any post-party recollection. Locals still awaiting forensic lab results; investigation closed by civilian authorities, no further information.
24	Q3	E3	E1	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim, Subject and others got drunk at a motel party where the Victim and Subject went to a room and had sex. The Victim's liberty buddies found the Victim naked and unresponsive on Subject's floor and the Subject was slow in answering the door when they arrived. Victim was transported to the hospital via ambulance; Subject claimed they had consensual sex. Civilian authorities were investigating, but victim declined to participate in the investigation.
25	Q3	E5	E5	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: After Subject and Victim broke up, Subject went to her house to get some of his things. Victim declined his sexual advances and Subject forced her to bedroom, pulled her pants down, and digitally penetrated her vagina. She cried and he stopped and left the house. Subject pled guilty in civilian court to misdemeanor Assault and Battery, sentence to 12 months in jail and fined \$237 for court costs.
26	Q4	E3	E1	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: After drinking with Subject at a party, Victim fell asleep on futon. Victim later awoke with her pants off and Subject lying on futon with his arm around her. She put her pants on and went back to sleep. When she woke the next day, her pants were off and her tampon was on floor by futon. Subject was gone. Subject admitted to digitally penetrating Victim's vagina but denied removing tampon. After having difficulty contacting and interviewing the Victim, Civilian DA declined to prosecute. Subject was later administratively separated with an Honorable Discharge.
27	Q3	UNK	CIV	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim, whose husband was deployed, drank at a local bar. Victim reported Subject followed her to her apartment, took her clothes off and had sex with her without her consent. Victim learned she needed an STD test and while at the hospital told police that Subject had raped her. Local authorities investigating; no further information.
28	Q3	E4	CIV	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim reported to local authorities that as she sat in her parked car Subject kissed her lips, neck, bare breast and penetrated her vagina with his penis against her will. Subject initially claimed all was consensual, but later admitted he had raped the Victim after being administered a polygraph. Results of NCIS' report was forwarded to presentation to the District Attorney for possible prosecution. Subject was to be administratively separated from USN on unrelated issues.

**FY09 Sexual Assault Synopses Report
United States Navy**

Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
29	Q2	E3	CIV	M	F	Wrongful Sexual Contact (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim visited her sister and her fiancée (Subject) for a month. Victim alleged Subject grabbed her breasts (over and under clothes), buttocks (over clothes) and would grind his erect penis against her (over clothes) and kissed her. State Atty reported there was insufficient evidence to move forward.
30	Q2	UNK	CIV	M	F	Abusive Sexual Contact (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	OCONUS off-base: Victim claimed that Subject rubbed his penis in front of her vagina and put his hands on the sides of her breasts numerous times. Civilian authorities would seek to arrest Subject for 4th degree sexual assault.
31	Q1	E1	E1	M	F	Wrongful Sexual Contact (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS on-base: Victim reported that on three different occasions, Subject touched her crotch over clothes and once tried to put his hand inside his pants, but Victim stopped him. Subject claimed it was consensual and a witness indicated Victim told them it was consensual. Local authorities investigated; case closed, no further information.
32	Q1	UNK	UNK	M	M	Wrongful Sexual Contact (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS on-base: Subject went to check on Victim who had passed out from drinking. Witnesses went to room and found Subject straddling unconscious Victim, both with their pants down. Subject fled scene and witness reported to base police. Victim did not wish to pursue investigation.
33	Q4	E1	E1	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim reported to her Command that while in hotel room with Subject, he drank a bottle of champagne and forced her to have sex with him. Local authorities are investigating; Subject was subsequently separated from USN for pattern of misconduct.
34	Q4	UNK	CIV	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim told Sheriff's Office Subject raped her at his cabin in the woods. Subject told NCIS her drove Victim and other friends to his family's cabin where they drank and played poker. Victim lost game and had to kiss Subject and then kept kissing and moved to the bedroom where they had consensual sex. They then spent the night in the same bed and Subject dropped Victim off at her house the next day. Subject's cell phone had many text messages from Victim indicative of an intimate relationship. Civilian DA indicated no charges would be filed against Subject.
35	Q3	E1	E1	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim reported to civilian authorities that while at the movies the Subject gave her alcohol and then proceeded to rape her. Subject claims it was consensual. Witness affirmed Subject's story and Victim later recanted. Civilian authorities closed case; unfounded.
36	Q4	E6	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Local Police arrested Subject for pulling Victim into his apartment and forcing her to perform oral sex on him and then he raped her. Subject initially charged with violations of Virginia State Code, Title 18.2, Sections 48(Abduction with Intent to Defile), 61(Rape) and 67.1(Forcible Sodomy). Subject pled Guilty to only Section 57(nfi) with the other two felony charges not being prosecuted; Subject received 12 months suspended confinement, court costs of \$213 and unsupervised probation for 2 years.
37	Q4	E6	E4	M	F	Non-Consensual Sodomy (Article 125)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim reported to local police that she got drunk at a party and later awoke with her underwear at her ankles, feeling like she had been sexually assaulted. Two witnesses saw Subject performing oral sex on Victim as she slept. Other witness observed the pair consensually kissing and touching one another during the party and months after. Locals deemed allegations unfounded; no action taken against Subject.
38	Q4	E7	CIV	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim told Sheriff's Office her boyfriend of 3 months(Subject) unlawfully got into her apartment and said he was too drunk to drive so she let him stay overnight. They had consensual sex then he began biting, hitting and punching her while Victim tried to resist. County DA declined to prosecute due to False Statements Victim made (DA may decide to prosecute her for these later).

**FY09 Sexual Assault Synopses Report
United States Navy**

Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
39	Q3	E5	CIV	M	F	Abusive Sexual Contact (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim told PD that she visited Subject at his residence. Subject allegedly touched Victim's breast and pinned her on the couch. Subject claimed Victim sat on his lap and they consensually kissed, but there was no inappropriate touching. Civilian declined prosecution.
40	Q4	E4	CIV	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Subject and Victim met on MySpace and Subject later spent the weekend with Victim. Victim delayed reporting the rape for fear of her life. Subject insisted all sexual contact with Victim had been consensual. Civilian authorities determined no charges would be brought against Subject.
41	Q4	E1	E2	M	M	Wrongful Sexual Contact (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim advised he awoke to being masturbated by Subject to which he immediately reacted to stop the act. Subject was separated from the USN for desertion charges and the crime is being investigated by the locals.
42	Q2	E5	E5	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim reported that in Sep 2007 Subject fondled her breasts and digitally penetrated her vagina. She stated she did not know what had happened because of her consumption of alcohol until Subject reminded her of what occurred. She advised she reported it to Local PD but was told they would not open a case because it was "He said, She said". NCIS put Victim in touch with the Local PD and they will open a case. NCIS Closed their case.
43	Q4	E4	E4	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim advised after night of drinking she awoke to Subject lying on top of her, she first thought it was her boyfriend but after Subject inserted his penis in her vagina she realized it was Subject. Locals handling investigation.
44	Q2	E4	E3	M	F	Non-Consensual Sodomy (Article 125)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS off-base; Victim alleged that Subject forced her to perform oral sex on him at a party. Subject claimed it was consensual. Command determined not to take punitive actions against the Subject as a result of this investigation; no further information. Subject currently being Administratively separated on an unrelated issue.
45	Q4	E5	E2	M	F	Aggravated Sexual Assault (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS off-base: Subject and Victim got drunk at party and slept together. Victim woke to Subject's fingers in her vagina, but again fell asleep and later awoke with wet underwear. Later that morning, she had consensual sex with Subject. Victim did not report the incident at the time it occurred and did not seek any medical treatment for the alleged assault. Subject claimed all was consensual. Victim later discharged for Erroneous Enlistment (unrelated to sexual assault). Command was apprised of incident and declined prosecution; no further information provided.
46	Q3	E3	E2	M	M	Abusive Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS off-base: Victim reported drinking with Subject at his apartment until she passed out. Victim awoke nude in bed with Subject groping her buttocks and penis. Victim then fled to a 7-11 where Subject found him and drove him home. Victim reported 5 days later. Subject chose not to undergo a polygraph and admitted to providing false statements in his initial interview, however he did not admit to assaulting the Victim. Command took no further action on the Subject (NFI).
47	Q3	E3	CIV	M	F	Rape (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Sixteen days after the incident, Victim's husband reported his wife was raped by Subject. Victim claimed Subject was temporarily staying with them (3 weeks) and they were alone on the evening of the sexual assault. Victim indicated she had been drinking (but was not drunk), awoke on the couch around midnight wearing only her underwear, which had fluid in them indicating she may have had sex (Victim had no recollection). Subject claimed they had consensual sex. Command indicated no action would be taken against Subject.
48	Q2	E7	E1	M	F	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Subject entered office, talked to Victim for 20-30 minutes and told her co-worker to leave. Subject asked about Victim's sexual activity, unzipped her coveralls and put his hand on her stomach and in her pants rubbing the outside of her vagina. Victim told Subject to stop and left the office. Command decided that no action would be taken.

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49	Q3	UNK	CIV	M	F	Rape (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Civilian Police told NCIS that Victim alleged rape by a sailor at party held in base housing. Victim affirmed rape to NCIS. Subject claimed it was consensual to Victim's boyfriend. Victim asked Subject through a text message to admit he raped her. RLSO declined prosecution per Command's request.
50	Q4	E5	E2	M	F	Aggravated Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim reported that Subject pinned her against bulkhead and fondled her breasts, buttocks and genitals (over clothes) while she tried to resist. When she tried to get free Subject slammed her repeatedly against bulkhead. When Victim reported incident 2 days later they recorded it as Sexual Harassment. Subject was counseled and ordered not to have any physical contact with the Victim. Victim later re-reported incident to SAVI because Subject recently sexually harassed her. Subject admitted to being in same location as victim, but denied sexually assaulting her. Command took no action against subject.
51	Q3	E5	E2	M	M	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	OCONUS on-base: Victim awoke in his rack to a hand moving up and down his leg and touching his groin area. Victim tried to grab the Subject, but he got away. Subject denied allegations. Charges were not preferred against Subject under a pretrial agreement because Subject was taken to SPCM in 4 similar cases.
52	Q3	UNK	CIV (2)	M	F (2)	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS off-base: All parties (except Witnesses) were drunk. Victim #1 and #2 said that Subject had sexual contact with them on car ride home from Ball. Witnesses indicated Subject spoke with them leaning forward between the front seats and they saw one of the Victims slap Subject (reason unk). Neither Victim complained at the time. Command indicated no action would be taken against Subject.
53	Q3	E3	E1	M	F	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim reported she was partially bent over sweeping under table at AFT mess decks when Subject grabbed her butt. Victim turned to hit her when Subject grabbed it again, along with her arm. Subject denied allegations claiming Victim pinched him multiple times. Victim indicated she was initially hesitant to report the incident in fear of getting in trouble for pinching the Subject. Commanding Officer signed military protective order issued to Subject to stay at least 50 feet from Victim.
54	Q4	E2	E2	M	M	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim alleged restricted Subject fondled his genitals and buttocks while making crude statements inferring he wanted to have sexual relations with the Victim. Victim indicated that he wasn't the only one the Subject had approached, but would not provide any names. NCIS was notified and advised no further action would be taken due to the Subject's release from military service that day.
55	Q3	E6	E1 / E3	M	F (2)	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Victim #1 reported that while on duty with Subject, the Subject rubbed her butt, breasts, crotch, leg (over my clothes) on various occasions and once on her bare leg, even though she resisted and told him to stop. Victim #2 reported that Subject often touched her inappropriately (over clothes) and also sent sexually explicit text messages, indirectly threatening her. Subject denied allegations by Victim #1, but admitted sending Victim #2 some text messages. Subject convicted at SPCM; 30 days confinement and BCD.
56	Q2	E2	E2	M	M	Non-Consensual Sodomy (Article 125)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Subject, Victim and other drank at a hotel room and when others left, Subject performed oral and anal sex on Victim when Victim was too intoxicated to resist. Subject admitted to allegations. During the interview of the Victim by RLSO, the Victim provided a sworn statement declining prosecution of the subject. Criminal charges against the Subject were subsequently withdrawn and he was administered NJP for violation of Art 112a(drug use); awarded reduction in grade, forfeiture of pay, restriction, extra duty and then ultimately ADSEP (OTH) in Feb 2009.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
57	Q3	E3	E3	M	M	Non-Consensual Sodomy (Article 125)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: After drinking, Victim and Subject and others slept at Transient Visitors Quarters. Victim awoke to Subject straddling and masturbating over him. Victim stated he realized Subject had also inserted his penis into Subject's anus when he pushed the Subject away. Subject admitted and was found guilty of Art 125 (Forcible Sodomy) at GCM; confined, reduction in grade, forfeiture of pay and BCD.
58	Q4	E5	CIV	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim reported while dating Subject, he kissed and fondled her and digitally penetrated her vagina without her consent on many occasions. Victim repeatedly failed to meet Reporting Agent to provide a statement. Article 32 Hearing convened and recommended all charges be withdrawn. Command concurred.
59	Q3	UNK	UNK	M	M	Non-Consensual Sodomy (Article 125)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim's wife reported 6 mos after event that her husband may have been the victim of a sexual assault. Victim admitted that he was on medication and drank at home with the Subject and others. After going to bed the victim confronted the Subject who told him that the Victim had performed oral sex on him and they also had sexual intercourse. Art 32 hearing was conducted and determined that Subject be administered NJP for wrongful sexual contact; however, based on recommendation from RLSO, case was dismissed.
60	Q3	E5	E3 (2) / E4	M	M (3)	Non-Consensual Sodomy (Article 125)	Courts-Martial Charge Preferred (initiated)	OCONUS off-base: Subject performed oral sex on Victim #1 and #2 while they were asleep in Subject's hotel room after drinking. Victim #1 awoke and told Subject to stop and he did. Subject also removed Victim #3's clothing. Subject later apologized to Victims #1 and #2 for "hurting them". Subject pled guilty at SPCM of Sodomy; granted confinement, reduction in grade, forfeiture of pay and made to register as a sex offender.
61	Q4	E5	E4	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim called her Supervisor(Subject) for a ride home after becoming intoxicated at a bar; Subject carried Victim from bar to his car's backseat and raped her. State Attorney declined prosecution and NCIS assumed case. Subject pled Guilty at General Court-Martial to Rape and received 9 years confinement at Ft. Leavenworth, reduction to E1 and a Dishonorable Discharge from US Navy.
62	Q4	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim got drunk at party and passed out in Subject's bedroom. Witness saw Subject performing sex act to Victim. Subject reported he digitally penetrated Victim's vagina and rubbed his penis on her vagina as she slept. Subject pled at GCM to Art 120 (Wrongful sexual contact) and was confined 30 months, reduced to E1, granted a Dishonorable Discharge and required to register as a Sex Offender.
63	Q3	E5	E4 / E5	M	M (2)	Abusive Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Asleep in his rack, Victim #1 felt a hand grab his genitals and Subject's wrist. Subject then fled the room. Victim #2 woke up to Subject grabbing his inner thigh area and he confronted the Subject. Subject pled guilty at SPCM to Abusive Sexual Contact and was confined for 6 months, reduced to E1 and made to forfeit \$5,400.
64	Q4	E2	E2	M	M	Non-Consensual Sodomy (Article 125)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: After a night of heavy drinking with the Subject, Victim awoke believing he had been sodomized by Subject while he slept. Subject admitted he had performed oral and anal sex on sleeping Victim. Article 32 Investigating Officer recommended against referral. Subject was administratively separated for homosexual conduct with an Honorable Discharge.
65	Q4	E6	E3 / UNK (2)	M	F (3)	Abusive Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Victim1 reported that Subject has continually harassed her by his sexually explicit comment, exposure of his penis and grabbing her breasts and rubbing his crotch against her buttocks. During the course of the investigation, two other female sailors detailed similar experiences with Subject. Witnesses reported Subject's continuing course of conduct in sexually harrassing subordinate female sailors. Following an Art 32 Hearing, Subject asked for and was granted Separation in lieu of Trial by Courts Martial; he received Other Than Honorable discharge.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
66	Q4	E2	E3	M	F	Abusive Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Subject and Victim hugged at barracks and he later carried her to the smoking lounge where he kissed her neck and groped her breasts(over sweatshirt). Victim tried to leave, but Subject restrained her and tried to digitally penetrate her vagina. Subject denied, but later admitted stating it was consensual. Subject charged with violating Articles 120(Aggravated Sexual Assault) and Art107(False Official Statements). Case referred to SPCM, but per Command request, charges were dismissed and Subject received NJP and was restricted to barracks for 21 days and forfeited \$1,568 of his pay.
67	Q2	E2	E2	M	F	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim, Subject and witness were at barracks room and when Subject and Victim had a disagreement, Subject tacked Victim on the bed. Subject fondled Victim's breast and kissed her neck. Victim left and later reported the incident along with the witness. Subject was uncooperative with MPs, served an MPO and put into pre-trial confinement. Investigation closed and forwarded to Legal for further action; no additional details provided.
68	Q2	E5	E6	M	F	Wrongful Sexual Contact (Article 120)	Insufficient Evidence of any offense	CONUS on-base: Subject and Victim were talking at medical office when the Subject grabbed the victim's buttocks and pulled her against him, trying to undo her coveralls. Victim resisted and reported. Command determined not enough evidence to take action on Subject.
69	Q2	E6	E4	M	F	Wrongful Sexual Contact (Article 120)	Insufficient Evidence of any offense	OCONUS off-base: Subject and Victim were drinking with others when Subject reportedly came up behind Victim and slapped her buttocks. Subject admitted to slapping her buttocks, but denied any sexual advances. Due to insufficient evidence, Command determined not to take formal disciplinary action against Subject.
70	Q1	UNK	E3	M	M	Non-Consensual Sodomy (Article 125)	Insufficient Evidence of any offense	CONUS off-base: Victim reported 5 months after incident that, after they were both drinking, Subject tried to kiss him many times, but he resisted. Victim passed out and later awoke to Subject sodomizing him. Victim pushed Subject off and fled. Subject claimed it was consensual. Command determined no action would be taken due to insufficient evidence.
71	Q1	UNK	E5	M	F	Rape (Article 120)	Insufficient Evidence of any offense	OCONUS off-base: Subject and Victim drank at a party. Victim recalled kissing the Subject, later blacked out and awoke the next day in her bed believing she had been raped. Subject told Victim they had consensual sex in his car before arriving at the Victim's home. Subject refused to talk to NCIS. Command SJA determined no action be taken due to lack of evidence.
72	Q1	UNK	UNK	M	F	Rape (Article 120)	Insufficient Evidence of any offense	CONUS on-base: During XO's investigation, Victim reported she believed she had been sexually assaulted and that her current pregnancy resulted from the sexual assault. Victim stated she could provide no additional information regarding the alleged assault or who assaulted her. Command was briefed and case was closed due to lack of evidence.
73	Q2	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	CONUS on-base: Victim reported rape by Subject after repeatedly being questioned by fiancée about prior relationship with Subject. Victim admitted that during the relationship with Subject she would often say "no" when they had consensual sex as part of a role play during their sexual encounters. SJA determined case lacked prosecutorial merit.
74	Q2	E4	E2	M	F	Abusive Sexual Contact (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Subject, his live-in girlfriend and Victim went drinking. Victim slept at their apartment and awoke feeling pain in her buttocks area and saw Subject behind her. Subject's girlfriend came into the room and called out to Subject who got up and left. Subject told Victim over the phone that he was drunk and had no recall. Command determined insufficient evidence to proceed to prosecution.
75	Q3	E4	CIV	M	M	Non-Consensual Sodomy (Article 125)	Insufficient Evidence of any offense	CONUS off-base: Subject and Victim got drunk at Subject's house, kissed and got into bed together. Victim said Subject sodomized him. Subject claimed all sexual activity was consensual. Subject was taken to ADSEP Review Board(re Art 125[Sodomy]). Upon review by BUPERS it was decided to retain Subject in USN.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
76	Q2	E4	E3	M	F	Abusive Sexual Contact (Article 120)	Insufficient Evidence of any offense	CONUS on-base: Victim reported that as she cleaned a state room aboard ship, the Subject arrived and watched. When Victim tried to leave, Subject grabbed her breasts more than once as Victim resisted. As Victim resisted, she and Subject fell to the floor and then Victim fled. At XO Inquiry, Command dismissed the case due to lack of evidence.
77	Q2	UNK	E5	M	F	Abusive Sexual Contact (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim and Subject drank and then went to sleep together. Victim took off her bra and Subject touched her breasts and torso. Victim did not consent to Subject sucking on her breasts or touching her vagina, but was afraid to resist or say no to the Subject. Subject claimed it was consensual and that Victim drove him home and gave him a hug goodbye. Command determined no criminal charges would be brought against Subject.
78	Q3	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim reported that during a party at her house she fell asleep in her bed and was awakened by Subject raping her. He ignored her repeated pleas to stop. Victim fled to a neighbor's home and called the local sheriff's office. Civilian authorities assumed jurisdiction. When Victim declined to cooperate, the civilian prosecutor declined to prosecute and NCIS assumed primary investigative authority. After much investigation, to include polygraph tests, RLSO determined there was insufficient evidence to prefer charges.
79	Q3	UNK	E1	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim and Subject (her boyfriend) stayed in motel room together. Victim alleged that Subject threatened to report her for fraternization with a Chief at Naval Hospital Corps School unless she had sex with him, so Victim agreed. Subject claimed he had consensual sex with Victim three times that day. Witnesses affirmed Subject's account. Command declined prosecution due to insufficient evidence.
80	Q2	E4	CIV	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	CONUS on-base: Subject offered Victim (prostitute) a ride from bus stop and they ended up at his quarters. Victim told the Subject she would perform sex for money and indicated the Subject did not threaten her in any way, but she didn't want to walk home, so she had sex with him. Subject claimed sex was consensual and stopped when the Victim said she couldn't do more. Investigation closed due to lack of prosecutorial merit/interest.
81	Q2	UNK	E1	F	M	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim, Subject and four others drank at a hotel room. Victim said that while sleeping in bed with Subject (clothed), he awoke naked with "film" on his penis. Witness stated that Subject told him that she had sex with Victim. Subject denied having sex with Victim. Command decided not to pursue due to conflicting witness accounts.
82	Q3	UNK	E3	M	F	Wrongful Sexual Contact (Article 120)	Insufficient Evidence of any offense	OCONUS on-base: Victim reported that numerous times between Dec 2007 and Feb 2009, Subject groped her buttocks, breasts, and vaginal area(over+under clothes) even though she tried to resist. Subject indicated all sexual contact was consensual and agreed to a polygraph. Witnesses indicated that they were a couple, always holding hands, kissing and dancing intimately. Command indicated no action would be taken due to lack of evidence.
83	Q4	E7	E2 / E3	M	F (2)	Wrongful Sexual Contact (Article 120)	Insufficient Evidence of any offense	CONUS on-base: Victim #1 reported to USN's Substance Abuse Rehabilitation Program (SARP) for a STD exam and reported the Caregiver(Subject) put his ungloved fingers in her vagina and did not take swab samples. Victim #2 reported she went to SARP because of a rash on her neck and Subject looked at it and then asked her to disrobe and proceeded to fondle her. Subject claimed he followed medical protocol and did not sexually assault either Victim. Command determined insufficient evidence to prove sexual assault and indicated Subject's actions were a procedural violation, which would require an administrative response - verbal reprimand.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
84	Q3	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	OCONUS on-base: Victim reported getting drunk at girlfriend's barracks with Subject and others, later sleeping on the floor but then awaking nude in her room feeling like she had sex. Victim saw two used condoms on the floor and recalled waking briefly with Subject on top of her. Victim made Restricted Report and underwent a SAFE and later made an Unrestricted Report. Subject claimed he and Victim had consensual sex. No action taken against Subject based on JAG's advice to Command that case lacked prosecutorial merit.
85	Q4	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	OCONUS off-base: Victim passed out from drinking at party at Subject's apartment. Witnesses reported that Subject raped Victim while she was still unresponsive on his floor. USACIL testing found his DNA profile on her vaginal swabs. Subject admitted intercourse to witnesses and Investigators. Art 32 Investigating Officer determined that due to witness inconsistencies, there was insufficient evidence to conduct a Courts-Martial. Command decided not to pursue Administrative or Judicial action against Subject.
86	Q4	UNK	CIV	M	F	Rape (Article 120)	Insufficient Evidence of any offense	OCONUS on-base: Victim visited children at ex-husband's (Subject) house. Subject locked Victim in his bedroom and forcefully raped her. Subject claimed they had consensual sex. Command determined not to pursue action against Subject due to lack of evidence and victim cooperation.
87	Q3	E7	E6	M	F	Wrongful Sexual Contact (Article 120)	Insufficient Evidence of any offense	CONUS on-base: Subject at Victim's work site to get surgical tape for training exercise; realizing they'd served in Italy together, they hugged and kissed each other on the cheek and chatted. Victim later told her Psychologist (who reported) that Subject forcefully grabbed her and put his tongue down her throat. Subject denied; was administered a polygraph, which yielded negative results. Command determined no action would be taken due to insufficient evidence.
88	Q3	E4	E2	M	F	Attempts to Commit Offenses (Article 80)	Insufficient Evidence of any offense	CONUS on-base: Victim, a month pregnant by Subject, received many troubling texts from him after they broke up. She met him at his barracks room to discuss if they could still be friends. He wanted her to perform oral sex, which she refused. He threatened to show others explicit pictures of her and proceeded to get on top of her placing his knees on her hands and tried to force her to perform oral sex on him. She resisted and he finally stopped. Subject denied all; Command determined no action would be taken due to lack of evidence.
89	Q2	E3	E3	M	F	Abusive Sexual Contact (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim, Subject and three friends drank together, then went to Subject's hotel room and slept. Subject tried to remove Victim's underwear, but Victim resisted and Subject stopped. Due to inconsistencies of accounts provided by parties' involved, case was closed.
90	Q2	E6	CIV (2)	M	F (2)	Wrongful Sexual Contact (Article 120)	Insufficient Evidence of any offense	OCONUS off-base: Victims #1&2 left bar and reported to MPs that Subject had touched her buttocks repeatedly and was trying to start a fight in the bar with the Victim #2's husband. Subject was arrested with a BAC=0.149%; Subject denied all saying the Victims hugged him and Victim #2's husband wanted to fight with him. Case closed; no further information provided.
91	Q3	UNK	CIV	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim reported that after a night of drinking with Subject and others, Subject raped her (no recall of details) as her vaginal area was sore. Subject claimed he had consensual oral, vaginal and anal sex with Victim multiple times. It was determined that after Victim's sexual assault exam, Victim did have sex, but unknown whether she was raped. SJA indicated lack of merit; case closed.
92	Q3	UNK	CIV	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim reported that after a night of drinking with Subject and other, Subject forced her to perform oral sex on him and raped her. Subject claimed he had consensual oral and vaginal sex with Victim multiple times. Victim had no physical evidence of being sexually assaulted. Victim's statements were inconsistent and she provided limited details. SJA indicated case lacked merit and it was closed.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
93	Q4	E5	CIV	M	F	Abusive Sexual Contact (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim reported Subject visited her house, refusing to leave her bedroom. He then pulled her on top of him and kissed her, unbuttoning his pants exposing his penis and trying to force her to touch it. Victim resisted and Subject finally left. Command referred Subject to NJP, which he refused to accept in lieu of Courts Martial; Command decided there was insufficient evidence to take prosecutive action against Subject.
94	Q3	E4	E1	M	F	Wrongful Sexual Contact (Article 120)	Insufficient Evidence of any offense	CONUS on-base: Victim reported that while on Security Watch on the ship at an unoccupied Office with Subject, the Subject groped her breasts and crotch, kissed her and exposed his erect penis to her during the assault. Subject claimed it was consensual, saying that Victim performed oral sex on him, which Victim denied. SJA reported insufficient evidence.
95	Q3	O4	CIV	M	F	Wrongful Sexual Contact (Article 120)	Insufficient Evidence of any offense	CONUS on-base: Victim's husband saw Subject (male nurse) with his hand on Victim's chest (under gown). Victim was medicated from surgery and indicated that Subject may have fondled her breasts. Subject claimed he was only placing heart monitors on the Victim's chest. Command determined lack of evidence; case closed.
96	Q3	E3	CIV	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	OCONUS on-base: Victim got drunk at bar with friends and later reported Subject may have assaulted her. Subject agreed to get Victim home; Victim had no recall and slept at Subject's barracks room, where sexual intercourse occurred. SJA indicated case lacked prosecutorial merit.
97	Q4	E5	E5	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim reported subject came to her and slapped and fondled her buttocks, rubbed her thighs, digitally penetrated her vagina and had oral contact with her breast against her will. Subject apologized before he left. Victim submitted to SAFE and made a legally monitored telephone call to Subject, which yielded negative results. Subject indicated contact was consensual and he stopped as soon as she asked him to, apologized and left. RLSO determined no prosecutorial merit; Command concurred and indicated that no disciplinary action would be taken against Subject.
98	Q1	E4	E5	M	M	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	OCONUS off-base: As Victim drove Subject and others from winery to naval air station, Subject rubbed and kissed Victim's chest, hand, legs, etc. Victim told the subject to stop and reported the incident. Two witnesses confirmed the sexual assault. Subject was taken to Captain's Mast and found guilty of Art. 128 and 134; reduced in rank, fined, restricted and extra duty.
99	Q2	UNK	E3	M	F	Non-Consensual Sodomy (Article 125)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim reported Subject attempted to strangle her and forced her to perform oral sex. Subject claimed it was consensual as Victim talked of bondage and wanting rough sex and that he only had hand on Victim's neck. Subject was taken to Capt Mast and found guilty of indecent exposure; reduction in grade, forfeiture of pay, restricted and extra duty.
100	Q2	E6	E1	M	F	Abusive Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim slept at barracks and awoke to Subject tickling her and groping her breast and trying to put his hand in her sweatpants; victim fought him off and subsequently reported the incident. Subject admitted and was administered NJP for the sexual assault; reduction in grade, forfeiture of \$2000, restriction, 45 days extra duty.
101	Q1	MIDN	MIDN	M	F	Abusive Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS off-base: Victim, Subject and others drank at a hotel room. While Subject was clothed, he laid in bed with the Victim who was incapacitated and groped her buttocks. Subject administered NJP where he pled guilty to Naval Academy Prep School charges of Art 6011 (alcohol possession and drinking), Art 6003 (sexual misconduct) and Art 6002 (Gross or malicious conduct); was put on restriction, provided extra duty, marching and demerits.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
102	Q2	E6	E1	M	F	Abusive Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: As Subject and Victim conducted security checks, Subject allegedly grabbed inside the Victim's jeans touching her groin area; he also attempted to pull her shirt up. Subject denied and refused to take a polygraph. Subject was taken to Capt Mast and found guilty of failure to obey(unduly familiar relationship), reduced in grade, placed on 30 day restriction, and forfeiture of \$2,848.
103	Q2	E1	E3	M	F	Aggravated Sexual Assault (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Security found Victim naked from waist down outside her car. Subject indicated having consensual vaginal and oral sex with the Victim in her car, after they had both been drinking all night. Subject administered NJP for adultery; awarded forfeiture of pay, restriction and subsequently administratively separated from the USN.
104	Q4	O4	E5	M	F	Aggravated Sexual Assault (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	OCONUS on-base: Victim and her supervisor(Subject) got drunk at on and off-base clubs then went to Victim's barracks room where Victim vomited and laid down on her bed. Subject undressed Victim from the waist down and digitally penetrated her vagina. He then undressed and performed oral sex and penetrated her vagina with his penis. She kicked him off her, he apologized and left the room. Three days later, Victim got medical exam (DNA collected) and reported the sexual assault. Subject went to NJP and was given 30 days restriction (later suspended) and a written reprimand.
105	Q4	E4	UNK	M	F	Abusive Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	OCONUS off-base: Subject and Victim drank at Club and when they left, Subject threw her to the ground and kissed her chest area. Singapore Police gave jurisdiction over to NCIS. Subject stated he was drunk and accidentally fell on top of the Victim and only tried to kiss her. Subject awarded NJP; reduced to E3, restricted 45 days and forfeited half his pay for 2 months.
106	Q2	E4	E2	M	F	Non-Consensual Sodomy (Article 125)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim reported Subject entered female berthing area as she slept and performed oral sex on her. Subject admitted, went to Capt Mast and found not guilty of sexual assault but guilty of Failure to Obey Order and Unlawful Entry. Subject awarded reduction in grade, restriction, fined, extra duty and command later recommended administrative separation (honorable).
107	Q4	E5	E3 (2)	M	M (2)	Abusive Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS off-base: Victim #1 reported awakening to finding his belt undone (no recollection of what happened) while Victim #2 reported that Subject groped his genitals and Victim #2 observed Subject massaging Victim #1's genitals while Victim #1 was passed out. Subject admitted sending several sexually suggestive text messages to Victims #1 & 2 and, while drunk, admitted to fondling Victim #1 through his clothes. Subject denied touching Victim #2 inappropriately. Subject was granted NJP for violating Articles 120 (Unwanted Sexual Contact [2 specifications]) and Art 134 (Disorderly Conduct, Drunkenness); reduced in Grade, given 45 days of restriction and 45 days of Extra Duty.
108	Q2	E4	E4	M	M	Abusive Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	OCONUS on-base: Victim awoke in BEQ to Subject kissing his neck and trying to put his hand in his pants to touch his genitals. Victim got out of bed and punched at Subject who fled and was later caught. Subject claimed he was drunk and didn't recall the incident. At NJP, Subject was sentenced to reduction in grade, forfeiture of pay, and extra duty.
109	Q2	E5	E1	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim reported that while on duty Subject indecently assaulted her; Subject admitted "touching" Victim. At Capt's Mast: Subject found guilty of Art 120 (Wrongful Sexual Contact) and Art 92 (Sexual Harassment); Subject was awarded reduction in rank and subsequently separated from USN.

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110	Q3	E5	E2 / CIV	M	F (2)	Abusive Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim #1 reported in Jan 2005 Subject held her down on her quarter's couch while groping her breasts and trying to remove her pants. Victim #2 reported in Jan 2009, after making many comments as we worked about my breasts and having sexual contact with her, Subject later went to Victim #2's barracks room uninvited, locked her door and acted like he might rape her. Subject admitted to sexual comments to both, but denied sexual contact with either. Subject taken to Capt' Mast and found guilty of Art 92 (Failure to obey order or regulation); reduced one pay grade and forfeiture of \$1,064.
111	Q4	E3	E2	M	F	Aggravated Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS off-base: After drinking at a hotel party, Subject pushed Victim onto bed and pinned her arms down while he got on top of her. He proceeded to kiss her and put his hands into her jeans, grabbing her buttocks and groping her breast. Victim struggled to resist and Subject stopped when witness knocked on the door. Subject confessed and was taken to Capt's Mast and found guilty of Art 120 (Wrongful Sexual Contact) and Art 134 (Underage Drinking), reduced in grade, restricted 45 days, forfeited \$1,508.
112	Q3	E4	E1	M	M	Non-Consensual Sodomy (Article 125)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: During "horse play" Victim (being held in a head lock) was bent over. Subject pushed broom handle into Victim's rectum who was wearing underwear. Supervisor heard noises and asked what happened. Subject admitted all and supervisor advised Victim to report event. Subject went to Capt's Mast and was found guilty of Article 128 (Assault); reduced to E3, confined 3 days on bread and water.
113	Q2	E4	E4	M	F	Abusive Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Subject took Victim, who was drunk, to a room, pushed her down on a table and got on top of her, groped her and tried to kiss her. USN ICID investigative findings forwarded to legal; Article 15 hearing conducted; no further details provided.
114	Q3	E5	E2	M	F	Aggravated Sexual Assault (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS off-base: Subject, wife and Victim got drunk at a bar. Victim awoke in unknown hotel room and noticed Subject was in other bed. Victim reported she did not specifically remember an assault, but suspected Subject assaulted her. Victim changed story many times. Subject taken to Capt's Mast and found guilty of fraternization.
115	Q3	E5	E3	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	OCONUS on-base: Victim reported Subject visited her in her barracks room, held her down and fondled her breasts (under clothes) and vagina (over clothes). Subject later left a voicemail on Victim's cell apologizing. Subject initially denied allegations, saying Victim flashed him when he was in her room and he didn't touch her. In subsequent interviews, Subject admitted he'd intentionally touched her breasts but then withdrew his prior statement of culpability and invoked his rights. Subject taken to Captain's Mast where charges against Subject (Wrongful Sexual Contact and False Official Statements) were dismissed.
116	Q4	E6	E4	M	F	Abusive Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Subject (Victim's Unit Leader) learned from Victim she was alone in the women's dorm. so he entered her room, locked the door and pinned her against it while trying to kiss her and put his hands down her sweatpants. She resisted and screamed and Subject grabbed her bare buttocks and pulled her to his crotch. Victim managed to unlock the door and push Subject out of her room. Subject admitted culpability for all and for being sexually aroused during the attack. Subject received NJP for violating Articles 120 (Wrongful Sexual Contact) and 128 (Assault consummated by Battery); was demobilized from Active duty, reduced in grade, forfeited half of his pay for 2 months.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
117	Q4	E5	E3	M	F	Aggravated Sexual Assault (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim reported that Subject groped her breast area (over clothes) many times and used his body to pin her against bulkhead in ship's Supply spaces where he unzipped her coveralls and digitally penetrated her vagina several times. Victim was afraid to report until she learned of another female who had filed a Sexual Harassment complaint against Subject. Initially, Subject denied all, but at polygraph interview, admitted fondling and groping Victim but not to the digital penetration. Subject went to Capt's Mast for violations of Art 92(6 counts), Art107(False Statements), Art 120(Wrongful Sexual Contact)+ Art134(Gambling with Subordinate). Subject was separated from USN on an Other Than Honorable Discharge for the Commission of a Serious offense.
118	Q4	E1	E1	M	F	Aggravated Sexual Assault (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim advised she was sent to investigate 2 drunk sailors being inside a female's quarters.Later Subject attempted to get Victim to lie about what she had seen. When she refused Subject twisted her arm behind her back and he digitally penetrated her vagina. There were no witnesses to the act and Subject denied act. Subject went to NJP and received 45 Days Restriction and Extra Duty, and Forfeited \$699 for 2 Months.
119	Q4	E3	E3	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	OCONUS off-base: Victim was eating dinner when Subject, who was intoxicated, placed his hand down the front of her dress and touched her breasts. Subject went to Capt's Mast charged with violation Art120(Sexual Assault) and Art 135(Drunk and Disorderly). Subject was found not guilty to Art 120 and guilty to Art 135; reduced in rank to E2, given 10 days restriction and 30 day extra duty.
120	Q3	E5	E5	M	M	Abusive Sexual Contact (Article 120)	Other Administrative Actions	CONUS off-base: Victim and Subject drank at friend's apartment and Victim later awoke to Subject groping his genitals. Subject had no recall and admitted prior homosexual proclivities. Victim did not wish to pursue prosecution; Command counseled Subject.
121	Q2	E4	CIV	M	F	Aggravated Sexual Assault (Article 120)	Other Administrative Actions	CONUS on-base: Victim alleged Subject raped her in his barracks room. Subject stated that they had consensual sex for several minutes until she said "stop", which he did. After the incident, they had dinner with Victim's friend and Subject drove Victim to her car. After Victim later declined to participate, Command administered a reprimand to the Subject and entered a counseling warning into his SRB.
122	Q2	UNK	E2	M	F	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base: Victim reported Subject visited her barracks room and kissed her, took her gym shorts off, groped her breasts under her bra and tried to perform oral sex on her. Subject claimed Victim never showed discomfort or disinterest or said "no" and also helped him in taking her clothes off. Subject polygraph did not indicate any deception. Command issued counseling for Subject and Victim.
123	Q4	E5	E3 / E4 / CIV	M	F (3)	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base: All three Victims reported their direct line Supervisor(Subject) sexually harrassing them and touching them inappropriately. Subject denied all; received Page 13 counseling.
124	Q4	E8	E4	M	M	Abusive Sexual Contact (Article 120)	Other Administrative Actions	OCONUS off-base: Subject(Victim's superior) and Victim got drunk at Victim's apartment and Victim accepted a massage from Subject, which ended when Subject stroked Victim's penis. Victim told him to stop, which he did. SJA indicated Command was pursuing Administrative Charges and no further investigative activity was required of NCIS/Case closed.
125	Q2	E3	E3	M	M	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base: Victim alleged Subject came into the Air office to sign in the liberty log. After signing the log, Subject walked out the office stating to Victim that he would sodomize him when he returned to berthing. When Victim went into the berthing, Subject grabbed him in the crotch area and tried to pull his pants down. A witness who became aware of the incident took Subject to drunk watch in medical; later Subject denied culpability indicating that if he had touched Victim in a sexual manner then the Victim should have been able to remove himself of the situation since he was sober. Subject was provided a counseling chit.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
126	Q4	UNK	E4	M	F	Aggravated Sexual Assault (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	CONUS on-base: Victim and Subject got drunk at off-base club and Victim later awoke in her BEQ room wearing only her bra with no recall of what happened. She heard rumors Subject had sex with her; Subject admitted having consensual sex with Victim and said she initiated it. Witness affirmed Subject's account; Subject passed Polygraph. At Capt's Mast, both parties were granted restriction and loss of pay for violating Ship Regulations (Reprimand later suspended).
127	Q3	E6	E6	M	F	Wrongful Sexual Contact (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	OCONUS on-base: At Victim's party, Subject made sexual comments and touched her breast, groin, and knee without her consent. Subject stated he was drunk but had no reason to doubt Victim's allegation. Witness affirmed Victim's report. Command charged Subject with Art 134 (Disorderly Conduct, Drunkenness) and administered NJP to Subject; reduced in grade to E5 for 6 months.
128	Q2	E3	E5	M	M	Wrongful Sexual Contact (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	CONUS on-base: Victim reported that Subject touched his crotch on three occasions as he slept. Witnesses saw Subject by Victim's rack at time of one incident. XO was contacted and advised Subject was on terminal leave and in the process of being separated (no further details) from the Navy. Investigation closed; no further information.
129	Q2	E3	E3	M	F	Wrongful Sexual Contact (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	OCONUS on-base: Witness aboard ship was escorting Subject, who was drunk while in duty status, to his rack. Victim asked Subject if he was all right when he grabbed her breast; victim screamed and slapped Subject's face. Witness provided voluntary statement concerning knowledge of Subject's malingering, but did not indicate Subject had sexually assaulted Victim. Subject charged with malingering; no further action.
130	Q4	E1	E1	M	F	Wrongful Sexual Contact (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	CONUS on-base: Victim reported she had been sexually harassed and touched inappropriately in her crotch area and kicked in the leg by Subject on different occasions. Subject admitted to having grabbed Victim in crotch area and kicked in the leg. Subject received Assignment Memorandum (ASMO'd); investigation closed, no further information.
131	Q2	UNK	E4	M	F	Aggravated Sexual Assault (Article 120)	Subject Deceased or Deserted	CONUS on-base: Victim and Subject drank at Subject's barracks room and Victim subsequently passed out. Victim later awoke in underwear with Subject on top of her. Victim fell back to sleep awaking later with blood on her underwear, the sheets and experiencing vaginal pain. Victim initially made a restricted report. Subject claimed it was consensual. Months later the Victim saw the Subject and wanted to convert to unrestricted reporting, but later signed a VPS. A month later, the subject was found dead at his home (unrelated)
132	Q1	UNK	E5	M	F	Abusive Sexual Contact (Article 120)	Subject Unknown	OCONUS on-base: Victim awoke to unknown male unzipping her sleeping bag and touching her leg, stomach and breast. Victim fought and ripped piece of t-shirt from the Subject who then fled. Victim reported incident; investigation closed as no subject was identified.
133	Q2	UNK	E3	M	F	Rape (Article 120)	Subject Unknown	CONUS on-base: Victim reported taking sleeping pills before going to bed. She woke up briefly to an unidentified Subject on top of her. She fell back to sleep and awoke later and noticed blood on her shorts, coming from her vaginal area. She was unable to walk immediately after and reported incident as a restricted reported 2 weeks later. It became unrestricted when she told her friend about he rape. Case was closed due to lack of corroborating facts or identification of a Subject.
134	Q3	UNK	E5	UNK	F	Aggravated Sexual Assault (Article 120)	Subject Unknown	CONUS on-base: Victim left club and found herself at an unknown residence where she awoke to bruises on her forehead and nose and vaginal bleeding; Victim did not recall how she arrived at the house and reported having bruises on her forehead and the bridge of her nose, and also complained of vaginal bleeding. Victim declined to cooperate with the investigation or provide the identity of the owner of the home where she awoke. Investigation closed due to lack of evidence.
135	Q2	UNK	E1	UNK	F	Wrongful Sexual Contact (Article 120)	Subject Unknown	CONUS unknown: FAP representative told NCIS Victim had been sexually assaulted. Victim reported she was inappropriately touched (under clothes) by USMC member, but refused to provide further details. Victim signed a VPS.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
136	Q4	UNK	E2	M	F	Rape (Article 120)	Subject Unknown	CONUS off-base: Victim used fake ID card and drank at bar with two "USN guys". Subject offered to drive her to the BEQ, but instead drove to his apartment, grabbed Victim by the arms and threw her to the floor where he raped her. Victim was uncooperative with the local authorities and NCIS. Due to failure to identify a subject, investigative leads were exhausted and case was closed.
137	Q3	UNK	E3	M	F	Rape (Article 120)	Subject Unknown	CONUS off-base: Victim reported she was robbed at gun point (unknown male) and thinks she may have been raped too. She advised she awoke the next morning with pain in her vaginal and anal areas. Although she received treatment at the hospital, she declined a full SAFE. No subject ever identified; case closed.
138	Q3	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Subject Unknown	CONUS off-base: While Victim was parked in lot near Club, unidentified Subject knocked on car window. When Victim opened the door, Subject demanded sex. Victim refused and Subject hit her in the face, got in the car and raped her. Victim reported to civilian authorities and then chose not to cooperate. Victim also uncooperative with NCIS.
139	Q3	UNK	E3	UNK	F	Aggravated Sexual Assault (Article 120)	Subject Unknown	CONUS Unk: NCIS interviewed Victim with SAVI Rep present regarding Victim's report of being sexually assaulted. Victim would not provide any details and signed a VPS.
140	Q4	UNK	E2	UNK	M	Non-Consensual Sodomy (Article 125)	Subject Unknown	CONUS on-base: Victim went to medical bay for stomach pain when unknown Subject knocked her out and sodomized her. SAFE administered, but no trauma to Victim's anus, genitalia or face was found. No subject was ever identified; case closed.
141	Q3	UNK	E2	UNK	F	Aggravated Sexual Assault (Article 120)	Subject Unknown	CONUS on-base: SAVI Rep said Victim talked to her instructor regarding her original restricted report of sexual assault, so it became unrestricted. Victim refused to provide any details of the sexual assault and signed a VPS.
142	Q4	UNK	E5	M	F	Wrongful Sexual Contact (Article 120)	Subject Unknown	CONUS off-base: Victim while at a restaurant advised Subject grabbed and squeezed her buttocks. A suspect was developed but Victim was not able to positively identify him. Victim decided to no longer cooperate in the investigation.
143	Q4	UNK	E3	M	F	Aggravated Sexual Assault (Article 120)	Subject Unknown	CONUS on-base: Victim advised, while incapacitated as a result of consumption of alcohol, she had unwanted vaginal intercourse with a Subject she refused to identify. Victim signed a VPS.
144	Q4	UNK	E5	M	F	Abusive Sexual Contact (Article 120)	Subject Unknown	CONUS off-base: Victim advised that an unknown Subject broke into her home demanded money, when she said she did not have any Subject fondled her breasts stole some items and fled. Local police investigating but have not identified any Subject.
145	Q4	UNK	E3	M	M	Wrongful Sexual Contact (Article 120)	Subject Unknown	CONUS off-base: After a night of drinking, an intoxicated Victim accepted an offer of a ride back to base from stranger. Victim went to sleep in vehicle and awoke to Subject fondling his genitalia. Subject never identified.
146	Q1	E2	E2	M	M	Non-Consensual Sodomy (Article 125)	Unfounded - Command Action Precluded	CONUS on-base: Victim alleged Subject performed oral sex on him at Navy Lodge room without his consent. Subject claimed he had consensual oral and anal sex with Victim. Victim was re-interviewed and disclosed he did have consensual sex with Subject. Subject ADSEP'ed after victim signed VPS.
147	Q1	UNK	E1 (1)	M	F (2)	Aggravated Sexual Assault (Article 120)	Unfounded - Command Action Precluded	CONUS on-base: Victim #1 reported that subject raped her. Subject stated that he had consensual sex with Victim #1 while witness had consensual sex with Victim #2 in the same bed. Witness affirmed Subject's report. Victim #1 later recanted and admitted that the sex was consensual and she lied because she felt guilty because she was engaged to someone else. Victim #2 reported that after Victim #1 left, Subject raped her. Subject denied having sex with Victim #2 and witness affirmed his claim. Victim #2 recanted and admitted she lied because she wanted Subject to go to jail because Victim #1 said he raped her.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
148	Q1	E1	E1	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - Command Action Precluded	CONUS on-base: Victim alleged Subject raped her at the Navy lodge. Subject claimed it was consensual. Victim later recanted stating she went to the lodge with the Subject willingly but had second thoughts at the last minute and willingly engaged in foreplay only. Command determined no disciplinary action would be taken against Subject.
149	Q2	O4	CIV	M	F	Wrongful Sexual Contact (Article 120)	Unfounded - Command Action Precluded	CONUS off-base: Victim reported that while at a party at Subject's house, he forcibly grabbed her buttocks (over clothes) with both hands. Witnesses did not see any sign of assault and said Victim worried about failing classes and owing USN \$70,000. Victim declined to execute a sworn statement or VPS; Subject denied the allegations. SJA stated no action would be taken and concurred with the closure of the investigation.
150	Q4	UNK	E2 (2)	M	F (2)	Aggravated Sexual Assault (Article 120)	Unfounded - Command Action Precluded	CONUS off-base: After appearing before Disciplinary Review Board(DRB) for Underage Drinking and Fraternalization both Victims said Subject raped them when they were drunk at a party. Victim #1 reported she went to the bathroom to talk with Subject and doesn't recall how it transpired into rape. Victim #2 reported she was drunk and got sick and while in the bathroom felt she was vaginally and anally penetrated by Subject, stating he was the only other person in bathroom. Subject claimed he had consensual sex with Victim #1 and none with Victim #2; polygraph indicated no deception on the Subject's part. Follow-up interview with Victim #1 indicated she felt she was not raped; Victim #2 felt like she sexually penetrated but did not remember if anything actually happened to her.
151	Q3	E4	E3	M	F	Wrongful Sexual Contact (Article 120)	Unfounded - Command Action Precluded	CONUS on-base: Victim and Subject went to Victim's room to watch a movie. Victim fell asleep and later awoke to Subject touching her midriff area and running his hand down the front of her shorts. Due to inconsistencies in Victim's statements regarding the alleged sexual assault and for lying to her command about previous relations with Subject, no further action was taken.
152	Q1	UNK	CIV	M	F	Rape (Article 120)	Unfounded - DoD Action Precluded	CONUS off-base: Subject and Victim met on the internet and agreed to meet for sex. Victim drove Subject from gate to a large parking lot where they first had consensual oral and vaginal sex. Afterward, Subject forced Victim to perform oral sex, held his hand around her neck and also engaged in anal sex against her will. Victim drove Subject back to the front gate where he exited her car. Victim delayed in reporting because of her concern of the case getting out and known by others. Civilian authorities investigated and indicated information developed was not sufficient to present to County Prosecutor's office for prosecutorial determination; case closed.
153	Q2	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim told barracks watch that she didn't want sex with Subject. Victim told NCIS that she visited the Subject at his room and he gave her a foot/back rub. She kissed the Subject and had sex (vagina/fellatio, etc.) and didn't tell Subject to stop. Subject said they drank and had consensual sex that the Victim initiated. Due to lack of evidence, no prosecution was pursued.
154	Q2	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim said she visited Subject at his barracks room where he raped her, but there really was no force or threats made by the Subject. Subject claims they had consensual sex for an hour. Victim was advised that it didn't meet the elements for rape charges and the Victim retracted her accusation.
155	Q2	UNK	E1	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim alleged Subject sexually assaulted her. Victim later admitted she made a false statement as she was afraid of pregnancy/STD. Subject claimed they had consensual sex.
156	Q2	UNK	E1	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim awoke in her barracks bed to an unknown male digitally penetrating her vagina. Subject claimed Victim's roommate and he were drunk and had sex as Victim slept in other bed. He then went to the bathroom and then mistakenly got into the wrong bed, touching the wrong woman. Case closed and forwarded to Subject's command; no criminal act established.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
157	Q4	UNK	E4	M	M	Non-Consensual Sodomy (Article 125)	Unfounded - DoD Action Precluded	OCONUS on-base: At post-deployment health exam, Victim was told he had genital warts on his anus at which he indicated he must have been sexually assaulted. At same day interview with NCIS, Victim had no details to support his assertion. After his discharge, Victim was interviewed and stated that he wasn't sexually assaulted and he no longer wished to pursue the investigation.
158	Q1	E5	CIV	M	F	Wrongful Sexual Contact (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim (a hotel worker) stated Subject asked for towels and grabbed her buttocks in the bathroom and had solicited her two days prior to the incident. Subject claimed he asked for towels, but had no physical contact with Victim. Subject not charged; case closed, no further action taken.
159	Q1	E1	E1	M	F	Wrongful Sexual Contact (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim reported Subject grabbed her buttocks various times and at various places. Witness said they observed this happen to Victim; Subject admitted saying the Victim didn't object, so he thought it was all right. Case closed; no further action.
160	Q1	E1	E1	M	F	Wrongful Sexual Contact (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim reported Subject kissed her many times and rubbed her crotch over clothes while Victim resisted. Subject reported all was consensual, but the Victim changed her story several times during the investigation stating she was a willing participant in different phases of the alleged sexual contact. Investigation closed due to inconsistencies of Victim's account; no further action taken.
161	Q2	E3	E3	M	F	Wrongful Sexual Contact (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: During early a.m. horseplay by several people, Subject grabbed and squeezed Victim's breast (over clothes). Subject claimed it was an accident and he apologized. Based on interviews and statements received the cause of the incident in question was determined to be accidental. Incident did not meet the elements of a crime.
162	Q2	E1	E3	M	F	Wrongful Sexual Contact (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: During smoke break, Subject put his hands into Victim's jacket pockets, trying to touch her breasts (over clothes). Subject also touched Victim's neck and put his groin against her buttocks, trying to kiss her. Victim left and reported it to her instructor. Subject brought in for interview; no charges brought forth. Investigation closed, no further action.
163	Q2	FN	E6	M	F	Wrongful Sexual Contact (Article 120)	Unfounded - DoD Action Precluded	OCONUS on-base: While at co-worker's house, Subject kissed Victim several times, rubbed her arms, face, back, legs, smacked her buttocks and attempted to put his hand in her shirt. Although she pushed him away, Victim did not tell him to stop or communicate non-consent. Subject drove Victim home and she later reported the incident.
164	Q4	UNK	E2	M	M	Non-Consensual Sodomy (Article 125)	Unfounded - DoD Action Precluded	CONUS on-base: Victim reported that he slept in an extra bed in a friend's room and awoke to find his belt unbuckled. He fell asleep again and later awoke to Subject orally sodomizing him. Subject denied all. Witness advised she neither saw nor heard any sexual activity going on between the Subject and Victim. Victim later admitted that he had consensually participated with Subject.
165	Q4	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	OCONUS on-base: Subject and Victim were found sleeping together in Subject's rack in male berthing. Twelve hours later Victim went to Medical for minor bruising and soreness on her arms, neck and legs indicating she had vaginal discomfort. Victim reported she may have been sexually assaulted but twice she refused to submit to a SAFE. Subject claimed it was consensual. Witnesses said they were often publicly affectionate. Determination was made that no crime had occurred and case was closed. Command will consider case for administrative action.
166	Q1	UNK	E4	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS unknown: Victim requested treatment for sexual assault at hospital stating that she was raped but refused to report the case to law enforcement. NCIS interviewed Subject who admitted having intercourse but stated it was consensual. Victim signed a VPS.
167	Q1	UNK	E2	UNK	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Victim initially reported to Navy Drug and Alcohol Program Advisor she was raped. Later the Victim advised NCIS she did not want to provide any further information on the rape and signed a VPS.

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168	Q1	UNK	E5	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: During Victim's check-out interview, Victim reported she'd been raped in her residence in the past but wouldn't give details. Later signed a VPS.
169	Q1	UNK	CIV	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Victim initially alleged Subject raped her. Subject stated Victim was trying to extort money from him by claiming he raped her. Due to Victim's refusal to cooperate in the investigation, case was closed.
170	Q1	UNK	E1	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim reported being drunk and going with Subject and two others to motel room to sleep. Victim was worried she was pregnant and reported that she awoke to Subject having sex with her. Subject claimed he and Victim had consensual sex. Victim later signed a VPS.
171	Q3	E5	CIV	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim initially refused to talk to Sheriff's Office and was reluctant to talk to NCIS, but later said the Subject (a Recruiter) visited her house and raped her. Medical examined her bruises, but Victim refused a sexual assault exam. Victim signed a Victim Preference Statement, declining to pursue the investigation.
172	Q3	E5	CIV	M	F	Abusive Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Subject's (friend of family) van broke down during cold weather and Victim who was 5 mos. pregnant let him sleep with her (clothed) at her house while her husband was deployed. Victim woke to Subject's hand groping her vagina (over clothes) and grinding his crotch against her buttocks; Victim resisted. Subject then pinned Victim's arms down and tried to take her pants off but Victim was able to get away. Victim advised Regional Legal Services Office she didn't want to pursue prosecution of Subject.
173	Q2	FN	E6	M	F	Abusive Sexual Contact (Article 120)	Victim declined to participate in the military justice action	OCONUS off-base: Victim alleged Subject indecently assaulted her at shop on Dubai City Tour. Victim reported the incident to the tour guide and USO. Dubai Police indicated they wouldn't investigate until Victim identified Subject in a line-up. Victim refused to cooperate; shop fired Subject and deported him to India.
174	Q1	UNK	E4	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim sought medical attention for alleged assault at the hospital. Victim initially told SAVI she wanted to file a restricted report, but then elected to make an unrestricted report but refused to provide any details other than where the alleged assault took place. Victim indicated she had been confused by the explanation initially given to her regarding restricted and unrestricted reporting guidelines and in fact wanted to maintain restricted reporting. Victim then signed a VPS citing a desire to not pursue the incident any further.
175	Q1	CIV	E6	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim and girlfriend drank at a club with two men and then went home with them. Victim awoke to Subject raping her and she resisted. Victim and her girlfriend went to the hospital and Victim initially told the police she did not want to pursue an investigation. Victim subsequently reported to NCIS at the encouragement of her boyfriend and mother. However, Victim later signed a VPS not wanting to participate in the investigation.
176	Q1	UNK	E1	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Although victim wanted to make a restricted report, NCIS was notified by SANE nurse that a SAFE had been performed. After Victim's command became aware of the restricted report, Victim spoke to law enforcement and affirmed her decision not to pursue the investigation and subsequently signed a VPS.
177	Q2	UNK	CIV	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Local hospital notified Naval Postgraduate School (NPS) police regarding alleged rape of Victim (NPS pass/ID secretary). Victim had no recall of events leading up to her visit at the hospital and only recalled waking up in Subject's barrack's room. Subject claims they drank together, had dinner and then went to his room where she performed oral sex on him and they had intercourse. Victim refused to cooperate with the investigation; Command informally counseled Subject for having Victim in his barracks room.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
178	Q2	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim alleged Subject raped her at motel room. Witnesses and subject claimed that during party in the motel room Subject and Victim had consensual sex in the bathroom and closet four times. Subject said Victim has paid for motel room before and they've had sex in the past, as Victim had been pursuing the subject for a romantic relationship for several weeks. After reporting the sexual assault, victim later signed VPS.
179	Q1	UNK	E1	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: At VA hospital, Victim had a sexual assault exam done and spoke with SAVI representative. However Victim refused to provide further details of the sexual assault and signed a VPS.
180	Q3	E4	E3	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	OCONUS on-base: Victim report she and Subject watched DVD at her barracks room. They began kissing and having sex, but Victim indicated it hurt and told him to stop several times but Subject finished and left. Three weeks later Victim took pregnancy and STD tests at NAVHOSP and told medical staff of the rape but not to report it. Subject reported all was consensual; passed polygraph. Victim signed Declination to Prosecute letter and Command withdrew all charges against Subject without prejudice.
181	Q1	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim reported she got drunk at party in BEQ and "frenched" 6 guys. She and the Subject were in the bedroom and he locked the door, took her jeans and underwear off and had sex with her. Victim says she told the subject no, but thought he may not have heard her. After having sex in different positions, Victim performed oral sex on Subject. Victim refused medical exam and signed VPS.
182	Q4	E3	E3	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim reported she, her girlfriend and the Subject watched a DVD in her barracks rooms. When Victim's girlfriend left, Subject allegedly raped her. Subject claimed all was consensual; polygraph showed deception. Six months after the incident and after conferring with USN's SAUSA, Victim signed Non-Prosecution Letter.
183	Q2	UNK	E2	UNK	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Victim told SARC she was sexually assaulted, but did not want to provide many details. She later signed VPS.
184	Q2	UNK	E1	UNK	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: While at Capt's Mast for breaking restriction, Victim claimed she was sexually assaulted; Victim wouldn't give NCIS any further details and signed VPS.
185	Q2	UNK	E1	UNK	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Victim told SAVI she was indecently assaulted but didn't want to give any further information or participate in an investigation and signed a VPS.
186	Q2	UNK	E1	M	M	Non-Consensual Sodomy (Article 125)	Victim declined to participate in the military justice action	CONUS off-base: Victim initially made a restricted report of indecent assault with the SARC. When command learned of the assault, the report converted to unrestricted, but the Victim did not wish to participate in an investigation and signed a VPS.
187	Q2	CIV	E5	M	M	Non-Consensual Sodomy (Article 125)	Victim declined to participate in the military justice action	CONUS off-base: While in Unauthorized Absence status, Victim, Subject, and a friend were drinking at a bar when Subject made sexual advances toward Victim. Victim and friend slept in car outside of Subject's house due to their intoxication. Victim awoke to Subject performing oral sex on him. Victim pushed Subject off and swung a knife at him. Victim reported to civilian authorities but they declined to prosecute. Subject claimed sexual activity was consensual. NCIS assumed investigation, but Victim did not wish to cooperate and signed a VPS.

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188	Q2	CIV	E3	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: While in Unauthorized Absence status, Victim went with friends to a party at Subject's house. Victim reported that she spent the next 4 days at Subject's house and when she refused his sexual advances, he raped her. She reported noticed that the Subject kept a gun on his nightstand, which is why she was afraid to leave. He also and gave her pills, which caused her to feel tired and vomit. Victim refused to make a complete report or cooperate with the NCIS investigation. She also refused a SAFE.ces and he rape her. Victim made incomplete report to the police and refused a sexual assault exam. Victim did not wish to cooperate with NCIS investigation.
189	Q2	UNK	E3	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Command indicated Victim made a restricted report of rape, but it became unrestricted when the incident was made known to others within her command. Victim did not wish to participate in an investigation or provide any further information.
190	Q2	E3	E1	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim went to check on her roommate, who was drinking at a different barracks with four men. One of the men, (Subject) asked Victim to sit on his lap and she told him no. Victim returned to her own room where Subject later came and forcefully raped her. Subject claimed they had consensual intercourse and Victim performed oral sex on him. Subject passed polygraph. When she was reinterviewed, Victim indicated she no longer wanted to pursue the investigation.
191	Q2	CIV	E4	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim visited Subject (ex-boyfriend) at his house. Subject was drinking and raped Victim. Victim called her husband and then sought medical attention. Victim refused to cooperate with police, later signed VPS at NCIS.
192	Q3	E3	E3	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim reported getting drunk at a barracks party, blacking out and awakening to Subject raping her with at least three other people cheering him on. Subject claimed sex was consensual and witnesses backed his story. Victim later asked legal to drop the case and Command indicated it would take no further action.
193	Q2	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim went to Subject's barracks room to watch a DVD while drinking. Victim took her shirt and bra off and asked for a back massage. Subject gave her massage and Victim began to fall asleep when she felt Subject placing his penis in her vagina. Victim resisted and left Subject's room. Subject claims they had consensual sex prior to Victim being married. Later Victim declined to participate; SJA also declined prosecution.
194	Q4	UNK	E4	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim and Subject drank for hours and "made out" at her barracks room. She later awoke in her bed, nude (she recalled being clothed prior to falling asleep), to Subject rubbing his hand over her body. He left when she told him to; when she urinated, Victim felt "burning sensation" in her vagina and thought Subject raped her. Victim reported weeks later at urging of a friend, but later declined to participate in the investigation.
195	Q3	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim's told friend, who then reported the two got drunk in a hotel room with two men (1 was the Subject). Victim's friend reported seeing Subject and Victim under a blanket and it appeared by their movements that they were engaged in sexual intercourse. Victim later asked if her girlfriend had seen them having sex and told her that Subject had raped her and she needed an STD test. Victim indicated she didn't want to report the incident and get in trouble for underage drinking. Subject claimed he performed oral sex on Victim and digitally penetrated her vagina, but denied sexual intercourse. Command did not pursue due to victim's refusal to participate.
196	Q2	UNK	E2	UNK	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim's restricted report of sexual assault involuntarily became unrestricted when command learned of it. Victim later refused to cooperate and signed a VPS.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
197	Q3	O4	FN	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS off-base: Victim (a foreign national), who worked for Subject, had dinner at Subject's hotel room where he pushed her onto the bed and raped her, later threatening that she would lose her job if she reported the incident. Victim later lost her job and reported the incident. Victim later declined to participate, withdrawing her complaint; charges were subsequently withdrawn without prejudice by Command.
198	Q2	E5	FN	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS off-base: Australian authorities advised NCIS that a female Australian citizen reported Subject digitally penetrated and raped her. Subject claimed he only digitally penetrated her (consensual). SART exam revealed Victim had a high level of alcohol in her system, but no DNA evidence linking Subject to the allegation of rape. Australian authorities reported there was insufficient evidence to pursue and Victim no longer wished to participate in the investigation.
199	Q2	CIV	E1	M	F	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim reported that while escorting the Subject (carpet cleaner working in Annex bldg) they flirted with one another. Subject then tapped her on the buttocks and she told him to stop. Later Subject grabbed the Victim's thigh and she tried to push his hand away several times. Subject denied all; Victim reported, but later refused to participate in the investigation.
200	Q2	UNK	E1	M	F	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim alleged that Subject kissed her, asked explicit questions and unzipped her pants after inspecting her barracks room. Subject stated Victim failed room inspection and came onto him and he left. Victim later stated it was a "misunderstanding" and signed a VPS.
201	Q2	UNK	E3	M	M	Non-Consensual Sodomy (Article 125)	Victim declined to participate in the military justice action	CONUS off-base: Victim and four unidentified males drank at a hotel room. Victim thinks one of the Subjects performed oral sex on him but was unsure as he was passed out from intoxication. Victim later signed VPS.
202	Q2	UNK	CIV	M	F	Non-Consensual Sodomy (Article 125)	Victim declined to participate in the military justice action	CONUS on-base: Victim initially alleged Subject sodomized her after they drank at a party. Later Victim signed a VPS.
203	Q2	O1	E3	M	F	Abusive Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim reported being groped by Subject in parking lot. Victim told Subject his behavior was inappropriate and asked him to stop. Since the Subject was an officer and she was afraid to disobey him, she continued to walk with him like he asked. He continued to touch her and attempted to pull her into the woods, but Victim fled. Victim later declined to pursue investigation.
204	Q3	UNK	CIV	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim's friend said that Victim's ex-husband raped and threatened to kill the Victim. Victim was treated for vaginal injuries and is afraid of Subject. Victim did not wish to report to law enforcement or cooperate with an investigation.
205	Q4	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS on-base: Victim's friend overheard her say she couldn't recall whom she had sex with and friend reported that Victim was raped. Victim told NCIS she met Subject in a bar and her girlfriend gave him her cell phone number; he texted her the next day and she invited him to watch TV and drink with her in her barracks room. She woke next a.m. wearing only a sweater and had vaginal soreness and found a used condom in my wastebasket. Subject was identified via Witness interviews and claimed they had consensual sex and she texted him warning it was reported by her friend as a rape, but she knew it wasn't and would not provide his identity to NCIS. Victim signed VPS.
206	Q3	UNK	E4	UNK	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim initially made restricted report to Victim Advocate who told her to seek medical exam. Medical called civilian authorities, but Victim did not wish to pursue and signed a VPS.
207	Q3	E2	CIV	M	F	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim visited Subject at his barracks room and fell asleep. Victim awoke to Subject rubbing her vagina and buttocks (over clothes) and when Victim told Subject to get off her, he complied. Efforts to contact victim to provide further information have been negative.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
208	Q4	E5	E3	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS off-base: Victim advised after night of drinking she passed out and awoke to Subject performing cunnilingus on her and penetrating her vagina digitally. Subject advised the sex was consensual. Victim signed VPS. Command decided to take no action.
209	Q4	UNK	E2	M	F	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim advised during May 2009 (exact date unknown) after she and Subject had consumed alcohol, Subject placed his hand inside her bra and fondled her breast and rubbed in her groin area through the clothes. Victim decided to not cooperate further with investigation.
210	Q4	E1	E2	M	F	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim stated that Subject grabbed her buttocks with his hand when she was going up the stairs in the barracks. Victim later declined to participate in the investigation.
211	Q4	UNK	E3	M	F	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim advised Subject (victim's supervisor) was taking Victim to a Drug and Alcohol Program meeting they were early and checked into a hotel and slept in the same bed. Subject is alleged to have placed his hand on her breast. Victim refused to further cooperate with the investigation and JAG declined to prosecute.
212	Q4	E4	E3	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS on-base: Victim advised Subject orally and vaginally penetrated her while she pretended to be asleep. Investigation determined Victim and Subject had earlier engaged in sexual activity. Victim decided to not participate further.
213	Q4	CIV / UNK	CIV	M / F	F	Rape (Article 120)	(1) Civilian or Foreign Authority - Person subject to the UCMJ (1) Civilian or Foreign Authority - Person NOT Subject to the UCMJ	CONUS off-base: Victim reported she was held against her will and raped by 2 Subjects on previous 2 days. She refused SAFE. She "met" Subjects on an adult swinger website and agreed to let Subjects pick her up and drive her to a trailer where they all drank. Victim reported waking up the next evening with Subject #1(nude) on top of her pinning her arms down while Subject #2 had sex with her. Subjects claimed Victim agreed to a weekend of consensual sex and that's all they did. Victim reported to civilian authorities, but later refused to cooperate with investigation.
214	Q4	E3 / E4	FN	M (2)	F	Rape (Article 120)	(2) Administrative Discharges	OCONUS on-base: Victim reported two Subjects grabbed her by her hair and forced her to have sex with them, believing they may have taken pictures of the assault. Subjects claim sex was consensual. Victim indicated she no longer wished to participate in the investigation. Both subjects were administratively separated from the USN.
215	Q4	CIV (2)	E1	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Civilian or Foreign Authority - Person NOT Subject to the UCMJ	CONUS off-base: Two months after event, Victim told police that while she was at home on leave, she got drunk at a party and two guys (still in high school) kept asking her to have sex with them. Although Victim told them no, she left with them in a car and awoke in her bed at home missing her undershirt, with unexplained bruises on her thighs with no recollection of post party events. Her friend who was at the party texted Victim telling her that she had sex in the car with each man and gave oral sex to both. Local authorities declined to prosecute.
216	Q4	E1 / E3	CIV	M (2)	F	Rape (Article 120)	(2) Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim alleged she had consensual sex with one Subject then the 2nd Subject brandished a firearm and forced her to perform fellatio on him. Local police investigated, released both Subjects without any charges and charged Victim with Soliciting Prostitution.
217	Q4	E3 / UNK	CIV	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim advised after night of drinking she awoke to one Subject having sexual intercourse with her while being held down by the second Subject. Local authorities handling the prosecution.
218	Q4	E1 / E3	CIV (2)	M (2)	F (2)	Rape (Article 120)	(2) Insufficient Evidence of any offense	OCONUS on-base: Two Victims (Strip Club dancers) left the Club with two Subjects to base housing. All four had sex (switching partners during the sexual assault. Both Victims reported they tried to resist many times and when they "went to bathroom" were able to flee and tell USN Security they'd been raped. They underwent Sexual Assault exams at NAVHOSP. SJA didn't pursue case due to lack of evidence, interview discrepancies and lack of cooperation from victims.

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219	Q2	UNK (2)	E7	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Insufficient Evidence of any offense	CONUS on-base: Victim got drunk at CPO club and thought she performed oral sex on Subject #1 somewhere at the club. Victim indicated she was highly intoxicated and although the act was not forced she would not have consented to such an act if she was sober. Victim then went to her office on the ship, to check email, but could not recall any further details of the evening. Victim stated it wasn't until the next afternoon that she felt sore and thought she may have been raped while in her office by Subject #2. Both Subjects denied having any sexual contact with the Victim. Command declined to take action due to insufficient evidence.
220	Q4	E3 (2)	CIV	M (2)	F	Rape (Article 120)	(2) Insufficient Evidence of any offense	CONUS on-base: Victim (17 yr-old runaway) reported going to Subjects' barrack room where Subjects held her down and raped her, making her perform oral sex on them both. She refused SAFE. Subjects claimed Victim consented. Subject #2 admitted he let her stay in his room for two weeks prior to the incident. Victim's whereabouts were unknown(presumed to have runaway again); case closed.
221	Q3	E1 / E3	E1	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Insufficient Evidence of any offense	CONUS off-base: Victim advised she was having consensual oral and vaginal intercourse with 2 Subjects when one began having anal intercourse with her which hurt. Victim asked Subject to stop and other Subject held her arms until Subject completed the act. Video recordings captured on one of the Subject's cell phones supported the Subject's assertion that the sex was consensual.
222	Q3	UNK (2)	E2	M (2)	M	Wrongful Sexual Contact (Article 120)	(2) Subject Unknown	CONUS off-base: Victim reported he'd been drinking and had walked alone in Chicago when he met a girl who invited him to her hotel room. Once inside, a few men (nfi) entered the room. Victim did not provide further details or involve law enforcement and signed a VPS.
223	Q3	UNK (2)	E5	M (2)	F	Indecent Assault (Art 134)	(2) Subject Unknown	CONUS on-base: Victim reported sometime in 2004 she became intoxicated while drinking with Subject #1 and and awoke at some point to see Subject #2 on top of her while Subject #1 had hands around her neck threatening to strangle her. Victim did not wish to seek prosecution and signed a VPS.
224	Q4	E3 / E4	E3	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Unfounded - DoD Action Precluded	CONUS on-base: Victim reported she drank and watched TV at Subject #1's barracks room with Subjects. She reported that when she tried to leave, Subject #2 restrained her and forced her onto the bed and both Subjects stripped her and proceed to rape her. Both Subjects claimed sex was consensual. Victim's ex-boyfriend reported Victim told him she made up the rape to salvage their relationship. Victim admitted to NCIS she made a false complaint and had not been raped.
225	Q4	E3 (2)	E2	M	F	Rape (Article 120)	(2) Unfounded - DoD Action Precluded	CONUS off-base: Victim told local Police she was raped by two shipmates at local hotel. Victim also admitted to smoking what she thought was marijuana and she fell asleep shortly thereafter. She awoke clothed but felt as if she was being kept in the room against her will even though the Subjects were on opposite bed watching TV. She left the hotel telling desk clerk(as she walked out) she'd been raped; she also told others that someone was trying to kill her and she'd been raped. During police and NCIS interviews, Victim admitted she'd been wrong and had not been raped nor held against her will, but suffered from flashbacks from a previous experience claiming she didn't know what was in the cigar. Victim said she had no desire to pursue the matter further.
226	Q4	UNK (2)	CIV	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Victim declined to participate in the military justice action	OCONUS off-base: Victim reported getting drunk and blacking out while at a party. She indicated having sex with Subject #1 twice and doesn't recall if it was consensual. Subject #2 groped Victim's breasts and vaginal area, but Victim couldn't recall anything else. Subject #1 admitted to sexual contact indicating it was consensual. Subject #2 denied all sexual contact with Victim. A witness affirmed both Subjects' statements; Victim signed a VPS.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
227	Q3	E3 / E4 / UNK	CIV	M (3)	F	Aggravated Sexual Assault (Article 120)	(1) Administrative Discharges (2) Victim declined to participate in the military justice action	CONUS on-base: Victim reported Subjects forced her perform oral sex on them while they penetrated her vaginally in different BEQ rooms. All three Subjects alleged all acts were consensual. Subject #1 was administratively separated. During Victim's third interview she refused to participate further, signed VPS; no action taken against Subjects #2&3.
228	Q4	E4 (3)	E3	M (3)	F	Rape (Article 120)	(1) Administrative Discharges (2) Nonjudicial Punishments (Article 15 UCMJ)	CONUS OFF-BASE: At her Supervisor's (Subject #1) request, underage Victim attended an off base party and got drunk on alcohol he gave her. Victim gave Subject #1 a lap dance and had sex with him. Subject #1 encouraged another co-worker (Subject #2) to join in and Victim had vaginal sex with Subject #2 while giving oral sex to Subject #1. The Victim's husband heard rumors about the incident and reported Victim had been raped. Victim had an affair for months with a former Supervisor (Subject #3), who gave alcohol to the Victim and her underage husband and later told husband about his wife's actions at the party. Victim told NCIS she realized she was not raped. Subjects #1 & 2 administered NJP while Subject #3 was administratively separated.
229	Q4	UNK (4)	E1	M	M	Non-Consensual Sodomy (Article 125)	(4) Subject Unknown	CONUS on-base: Victim was physically and anally assaulted while intoxicated by four men he met at a bar. When questioned about inconsistencies in his story, Victim declined to cooperate further. USACIL found 3 men's DNA on Victim's jeans; however, the case was closed because Subjects could not be identified
230	Q3	UNK (5)	E1	M (5)	F	Aggravated Sexual Assault (Article 120)	(5) Subject Unknown	CONUS off-base: Victim went to VA hospital and asked for a SAFE. Victim reported to law enforcement that she was sexually assaulted by 5 USN enlisted at a motel. Subjects could not be identified. Victim later signed a VPS.
231	Q1	UNK (5)	O1	M	F	Rape (Article 120)	(5) Victim declined to participate in the military justice action	OCONUS off-base: Victim shopped and drank with 5 men and then let them into her hotel room to get their packages where they sexually assaulted her. Victim did not report the assault right away because she was both the command SAVI representative and legal officer and felt she had no one to talk to. She reported the sexual assault 2 weeks later after attempting suicide, but later signed a VPS.
232	Q2	E5	E5	M	M	Sodomy (Article 125)	Administrative Discharges	CONUS off-base: Victim, who was highly intoxicated, had fallen asleep at Subject's house when Victim awoke to being orally copulated. Victim ordered subject to stop and Subject ceased activity. Command advised Subject will received general discharge from USN for engaging in homosexual behavior.
233	Q1	E2	E3	M	F	Rape (Article 120)	Administrative Discharges	CONUS off-base: Victim was raped at a party at Subject's residence. Local law enforcement worked this case. Subject confessed to raping Victim. Subject received an other than honorable discharge from the Navy for serious misconduct related to this investigation.
234	Q1	E4	E4	M	M	Sodomy (Article 125)	Administrative Discharges	CONUS on-base: Victim was sleeping and awoke to find Subject orally copulating him without Victim's consent. Subject admitted to the act but claimed it was consensual. Subject was awarded a General Discharge from the USN for Homosexual Acts.
235	Q1	E3	E3	M	M	Sodomy (Article 125)	Administrative Discharges	OCONUS on-base: Victim was talking to Subject when Subject claimed the two had been "messaging around" on a previous evening, while Victim was sleeping after consuming a large amount of alcohol. Subject admitted to Victim he had performed oral sex on him. During a consensually monitored phone call, Subject admitted to the behavior. Per the SJA, an Administrative Separation Board recommended the subject receive a General Discharge from the USN for homosexual behavior.
236	Q1	E6	E3/E5/CIV (2)	M	F (4)	Wrongful Sexual Contact (Article 120)	Administrative Discharges	CONUS on-base and off-base: Two victims claimed to have been inappropriately touched by Subject. Victim #1 also claimed Subject forced her to touch his penis. Two other Victims claimed Subject refused to let them leave his presence on different occasions. Subject denied all claims. Subject waived an ADSEP board and was subsequently separated from the USN with an OTH for commission of a serious offense.

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237	Q1	CIV	E3	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person NOT subject to the UCMJ	CONUS on-base: Victim and Subject were dating when Victim claims Subject raped her. Subject claimed it was consensual, and no evidence was found to convict him. Subject was separated from the Navy on unrelated charges. Case was then referred to the local District Attorney's Office for prosecution. They declined to prosecute on this matter.
238	Q1	CIV	E5	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person NOT subject to the UCMJ	CONUS off-base: Victim and Subject had previously dated. One night, victim went to Subject's house to spend time with Subject's four year old son. Victim was forced down by Subject and raped and sodomized. Virginia Beach police department worked this investigation. The Virginia Beach District Attorney's office declined prosecution citing a lack of evidence.
239	Q1	UNK	E4	M	F	Wrongful Sexual Contact (Article 120)	Civilian or Foreign Authority - Person NOT subject to the UCMJ	OCONUS on-base: Victim claimed Subject, a foreign national, touched her breast during the refueling of a military vehicle. Subject claimed he would never do that due to his extreme religious beliefs. Civilian authorities did not pursue charges for this incident.
240	Q2	CIV	E3	M	M	Sodomy (Article 125)	Civilian or Foreign Authority - Person NOT subject to the UCMJ	CONUS on-base: Victim was drinking with Subject when he fell asleep. Victim woke to find Subject performing oral sex on him. Subject was charged with forcible sodomy in a local jurisdiction. Subject was found not guilty of the offense of forcible sodomy by the judge.
241	Q3	CIV	E4	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person NOT subject to the UCMJ	CONUS off-base: Victim was having a small party when Subject came over uninvited. Subject raped victim after she went to bed. Subject was found guilty in civilian court and sentenced to 15 years - 9 years served with 6 suspended. Subject must also register as a sex offender, and will be deported to Guatemala due to his illegal immigrant status after serving 9 years.
242	Q1	CIV	E4	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person NOT subject to the UCMJ	CONUS off-base: Subject and Victim were at a party where Victim became extremely intoxicated. Victim passed out in Subject's car and woke up to Subject raping her. Subject is being prosecuted by local jurisdiction. Prior to trial, Subject was discharged from the Navy.
243	Q3	CIV	O3	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person NOT subject to the UCMJ	CONUS unknown: Victim claimed subject inappropriately touched her on numerous occasions. While those incidents were being investigated she disclosed Subject also raped her. Subject was adjudicated in Federal District Court. Subject was charged with Aggravated Sexual Abuse, Abusive Sexual Conduct, Assimilated state codes for Indecent Exposure, Stalking, and False Statement. During a jury trial, Subject was found not guilty on all counts.
244	Q1	E2	E2	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS on-base: Victim claimed Subject raped her inside her barracks room. Victim claimed she "kneaded" Subject and was able to escape the room. Video footage from the barracks showed Victim Subject leaving the room together. Victim continued to relate she was raped, even when confronted with the video. Subject claimed they had consensual sex. Subject was adjudicated at a SPCM for an unrelated offense and was previously granted a Bad Conduct Discharge. The local DA and the local U.S. Attorney's office declined prosecution.
245	Q3	E5	CIV	M	F	Indecent Acts or Liberties with a Child (Article 134)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Subject admitted to a friend that he molested his female cousin when he was 13 and she was 5. This happened approximately 15 years ago. Civilian authorities investigated and no charges were pressed against subject.
246	Q1	UNK	CIV	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Subject, who had previously dated Victim, forced her to perform oral sex. Subject then held Victim down and raped her. Civilian authorities declined to prosecute due to inconsistencies in Victim's story.
247	Q1	E1	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim had been celebrating Subject's birthday and was heavily intoxicated. She voluntarily went to a local motel with Subject where she passed out and woke twice to find Subject having sexual intercourse with her. Investigation worked jointly with a local police department. Subject was placed on unauthorized absence and later declared a deserter. Upon being captured, the Navy separated Subject from the service. The State of Illinois did not press charges on the sexual assault.

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248	Q3	E2	CIV	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS unknown: Victim had skipped school with some friends to drink when her friend picked up Subject at the base. Victim passed out in the back seat, and awoke to Subject raping her. Subject was removed from active duty for other alcohol related misconduct. NCIS worked this case only to assist a local jurisdiction. After separation of subject, NCIS closed the case.
249	Q2	E3	E3	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Subject had previously dated Victim and went to her house with a friend one night. After a verbal argument, Subject dragged Victim into her bedroom and sexually assaulted her. Subject plead guilty to 4th assault (domestic violence). Investigation was worked by the local jurisdiction.
250	Q1	E5	CIV	M	F	Wrongful Sexual Contact (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	OCONUS off-base: Victim was walking on the street when she was assaulted by Subject who grabbed and fondled her buttocks then followed her further. Subject also hugged Victim from behind. Subject was apprehended by the Japanese Police. Subject was intoxicated and charges were dropped after victim received a "compensation" fee and withdrew the charges. Subject was later separated from the Navy due to alcohol rehabilitation failure.
251	Q2	E3	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim alleged that she was raped by three different men, one of whom admitted to having consensual sex with her. Subject claimed she was fine, but toxicological reports found alcohol, hydrocodone, and diphenhydramine in Victim's system, deeming Victim to be unable to consent. Civilian authorities investigated and arrested Subject but the DA's office declined to prosecute. The subject received administrative action from his command (counseling).
252	Q2	E3	CIV	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Subject was at Victim's house when he pushed her down and raped her. Subject was adjudicated by local authorities and agreed to a plea agreement for his case to be "under advisement" until 2014. He will go to trial for this matter if he encounters any further legal issues prior to 2014.
253	Q2	E5	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim met Subject at an on-base club. Both drank alcohol before leaving the club together. Victim claims she was raped in Subject's car and twice at his off-base residence. Victim advised she was too intoxicated to protest. Case was worked by a local jurisdiction and closed due insufficient evidence. The Command opted not to take any judicial or administrative action.
254	Q1	E1	CIV	M	F	Wrongful Sexual Contact (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim was working in a mall when Subject approached her and grabbed her buttocks (under clothes). Subject plead guilty in civilian court to Disorderly Conduct and was sentenced to pay \$150 in court fees and \$100 to a domestic violence shelter.
255	Q3	UNK	O1	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	OCONUS off-base: Victim was walking from a local Romanian restaurant when she was allegedly raped at gunpoint. Medical examination found no trace of semen and civilian police determined the allegations to be unfounded. It is suspected victim made up the rape to cover adultery and a pregnancy. Investigation was worked by Romanian law enforcement.
256	Q3	E4	E1	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS unknown: Victim accepted a ride to her car from Subject. Subject drove past her car and to an abandoned parking lot where Subject had sexual intercourse with Victim, while Victim verbally and physically protested. Subject admitted to consensual sex with Victim. Investigation worked by locals. Subject went to trial in the local jurisdiction and pled not guilty to rape and abduction. Both charges were eventually dismissed. Subject was ADSEPed from the USN prior to the termination of court proceedings.
257	Q1	UNK	E4	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim was drinking and accepted a walk home from Subject. Victim claimed Subject overpowered her and raped her. Subject claimed the sex was consensual. Subject passed a polygraph. Victim had several inconsistencies in her statement, which could not be substantiated. NCIS assisted the local jurisdiction with some interviews but did not present the case to command for adjudicative action.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
258	Q2	E5	E3	M	F	Rape (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim was working alone in the Navy Recruiting office and was still in high school at the time of the incident. Victim claims Subject came up behind her and forcibly raped her. Subject denied raping Victim but did apologize to her and indicated he could get "kicked out" of the Navy if anyone "found out" during a recorded phone conversation with Victim. Subject did not indicate during the phone call what would get him "kicked out". The local DAs office declined to prosecute due to insufficient evidence.
259	Q1	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim claimed to have been raped by Subject off-base when she was approximately 5 months pregnant. Subject admitted to having sexual intercourse with Victim and to the fact that she said, "no". Investigation was worked by a local jurisdiction. Subject was arrested. The command issued a military protective order for the victim after Subject was released from jail. Subject appeared before a local judge and the rape charges were dismissed in a Nolle Prosequi (do not pursue).
260	Q1	E7	E4/E1(2)	M	F (3)	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	OCONUS on-base: Victim #1 reported Subject caressed and attempted to kiss her breasts during a breast exam. Subsequent to Victim #1's allegation, 2 additional victims surfaced and indicated the same thing happened to them. Command declined to prefer charges after consultation with RLSO.
261	Q1	O4	E3/CIV (2)	M	F(3)	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	OCONUS on-base: Four different victims felt they were touched inappropriately by subject during a medical exam, and reported to officials. Command reviewed for prosecutorial merit and declined to take any judicial or administrative action against the subject, a medical doctor.
262	Q1	E5	E3	M	F	Aggravated Sexual Assault (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS off-base: Victim went to the club on base with the intention of getting intoxicated. She reported getting extremely intoxicated and the next thing she remembered was being at her home, off-base. Victim advised she awoke the next morning naked and noticed a possible semen stain on the floor, next to where she was laying. Subject advised he was too drunk to remember if he had sex with victim, but admitted she was too intoxicated to consent to sex. Command declined prosecution.
263	Q2	E5	E2	M	F	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim stated Subject pressed up against her body and kissed her shoulder. Subject admitted he did find Victim attractive and he admitted to bumping Victim's shoulder accidentally. Subject admitted his actions were unprofessional, but that he never touched Victim in a sexual manner. Investigation was closed after Victim's command advised that Victim was being discharged from the USN due to a psychological disorder. Per the subject's command, no disciplinary action would occur. He did receive a verbal counseling.
264	Q1	UNK	E4	M	F	Aggravated Sexual Assault (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS off-base: Victim went to movies with Subject. When they returned to Victim's apartment, Victim claimed Subject performed unwanted oral and vaginal sex on her. Victim claimed she told Subject to stop but he did not. The local jurisdiction assumed the investigation. During interrogation, Subject admitted to consensual oral and vaginal sex and when Victim said they "shouldn't be doing this" because they were both married, he stopped. The local jurisdiction declined to prosecute (no reason provided in report). The investigation was forwarded to Subject's command for review and subsequently reported after review and consultation with the SJA a decision was made not to proceed with formal charges.
265	Q3	E5	E3	M	M	Sodomy (Article 125)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim claimed he was lured into sail loft of ship by Subject's suggestion of receiving oral sex from female ship's navigator. During sex act, Victim requested person to stop and lifted his blindfold, recognizing the Subject, a male sailor. Subject admitted culpability and was referred to GCM. Subject was found guilty of Art 120-Wrongful Sexual Contact and sentenced to 15 mos. confinement, reduction to E1, and rec'd DD and required to comply with sex offender registration.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
266	Q1	E7	E3	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS off-base: Victim accepted ride from Subject after leaving local nightclub, but Subject took her to his apartment instead where he allegedly raped her. Witnesses reported Victim being intoxicated and leaving club with Subject. Victim initially did not wish to participate but later changed her mind. An Art 32 hearing was conducted. Results of the Article 32 hearing recommended no further judicial action due to lack of evidence. Case was recommended for Administrative action only. Subject was formally counseled.
267	Q1	E3	E4	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim reported being sexually assaulted in her BEQ room after an evening of drinking. Victim awoke the next morning with her pants off and Subject lying next to her. Subject apologized via text message, which Victim deleted. Victim reported incident after command was notified by a friend that Subject was expressing suicidal ideations. During controlled/recorded phone calls Subject admitted to having sexual contact with the victim to include performing oral sex on Victim without her consent. GCM was held and Subject was acquitted.
268	Q3	E6	CIV	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Subject and Victim were watching TV at Victim's house when Subject forced himself on her. Subject found guilty of rape at GCM and sentenced him to 5 years confinement.
269	Q2	E3	E1	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim went with her friend to visit her friend's boyfriend. Subject was also present at the house. Victim alleged that Subject raped her after both parties drank heavily. Subject claimed the sex was consensual, and no evidence could be determined stating otherwise. Article 32 Investigating Officer recommended against referral.
270	Q2	E3	CIV	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS off-base: Victim was walking back to her on-base home when she was attacked from behind by Subject who beat her in the head and choked her until she agreed to have sex with him. Subject was later identified and admitted to forcibly raping Victim. Subject was found guilty at GCM and awarded 18 months confinement, 2 months of hard labor after confinement, and \$ 1,753.50 forfeiture for two months.
271	Q2	E5	CIV	M	F	Abusive Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim was drunk at a party and needed to be helped home by her neighbors. Later, Subject (one of the neighbors) came back and got in bed with Victim, fondling her breasts, behind, and inner thighs. Subject initially denied involvement but later recanted his story and was found guilty for making false statements in violation of Article 107. As part of a plea agreement at a Special Court Martial, the charge of Abusive Sexual Contact and Unlawful Breaking and Entering (Article 129) were dropped. Subject was awarded 5 days confinement and forfeiture of \$200.00.
272	Q3	E5	CIV	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim was partying at subject's on-base residence and became very intoxicated. Victim stayed the night in a guest room, where she was awakened by the subject who removed her clothes, fondled her and engaged in sexual intercourse with her. Subject claimed the victim said nothing, which he took as a sign of consent. Subject admitted victim "just laid there" and he felt "guilty" about what he did to the victim. Subject was found not guilty at a General Courts Martial.
273	Q1	E1	CIV	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim was about to take a shower when Subject entered her room, pinned her down, fondled her, digitally penetrated her and then raped her. Results of trial: Failure to obey order or regulation, referred back to command. Awarded reduction in rank to E-1, forfeiture and 45 days restriction. False official statement: dismissed. Rape: dismissed. Assault: dismissed. Adultery: dismissed.
274	Q2	O3	CIV	M	F	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim and Subject were breakfasting at the airport when Subject grabbed victim's chest and forced his foot between victim's legs. Subject admitted to assault. Subject plead guilty to Assault (Article 128), Conduct Unbecoming (Article 133) and Drunk and Disorderly (Article 134) and was sentenced to 10 months confinement and dismissal from the Navy at General Court Martial.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
275	Q3	E3	E5	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Victim was sleeping in her bed when she awoke to Subject grabbing her breasts and digitally penetrating her. Subject was acquitted at s Special Court Martial of all charges against him.
276	Q3	E5	E3/E3	M	F (2)	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Subject raped Victim #1 while she was asleep. Victim #2 also reported being sexually assaulted by subject. Subject was found guilty at GCM and awarded 9 years confinement at FT Leavenworth, KS, a reduction to E-1 and a dishonorable discharge from the Navy.
277	Q1	E4	E4/E2	M	M (2)	Abusive Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Subject groped Victim # 1's genitals in their room and groped Victim #2's genitals while he was asleep. Subject plead guilty at GCM to two counts of Article 120 (Abusive Sexual Contact) and one count of Article 134 (Indecent Assault). Subject was sentenced to 72 months confinement, a reduction to E-1, and dishonorably discharged from the USN.
278	Q1	E3	E4	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS off-base: Subject and Victim went to a local hotel. Victim alleged that she awoke to find Subject having intercourse with her. Subject admitted to having sex with her while sleeping, but only after they had already engaged in consensual sex earlier. A GCM was scheduled and several days prior to the start date, Victim refused to participate. All charges against the subject were dismissed without prejudice.
279	Q2	E5	E3	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Victim claimed she was in her barracks room when she awoke to feel that she was being digitally penetrated by an unknown person. Subject was identified via video surveillance cameras. Subject admitted to entering Victim's room, removing her pajama bottoms and inserting his thumb into her vagina. Subject was taken to SPCM where he plead guilty to violation of Article 120 (wrongful sexual contact) and Article 134 (Unlawful entry). Subject was sentenced to a reduction in rank to E-1, 8 months confinement and a BCD.
280	Q1	E2	E2	M	M	Sodomy (Article 125)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Victim and Subject were off base at a bar and Victim got highly intoxicated. Subject said he would take Victim back to his barracks room but instead took Victim to his (subject's) barracks room. Subject orally and anally sodomized Victim while he was in and out of consciousness. Subject's computer was seized and numerous images of child porn were found. Subject admitted to forcibly sodomizing Victim. Subject went to a GCM and plead guilty to violation of Article 125 (Oral Sodomy) and (Anal Sodomy) and Article 134 (Possession of Child Pornography). Subject was awarded 72 months confinement and reduced to E-1.
281	Q2	E7	E4	M	F	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Victim claimed Subject put his hand down her pants and touched her bare buttocks and attempted to touch her vagina. Victim pushed Subject away and reported the assault. Subject was convicted of Article 92 (Fraternalization with His Immediate Subordinate) at a Special Court Martial. Subject was sentenced to forfeiture of \$1,000.00 for one month, and received a letter of reprimand. He was also transferred to a different command.
282	Q2	O1	O1	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim and Subject were skinny-dipping and mutually kissing. Subject indicated he wanted to have sex with Victim, but she told him she did not want to have sex. Subject inserted his penis into Victim's vagina. Article 32 Investigting Officer recommended against referral. Subject received a letter of caution.
283	Q2	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim was drinking with Subject in his barracks room. Victim woke up the next morning half naked laying next to Subject, who was fully naked. Victim recalled waking up during the night to Subject engaging in sexual intercourse with her. She told Subject to stop and he did not. During a pretext phone call Subject admitted culpability. Numerous witnesses verified victim's extreme state of intoxication. Subject was subsequently found not guilty by a General Courts Martial.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
284	Q3	E4	E2	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim was intoxicated and spent the night at a friend's house. Victim awoke to Subject digitally penetrating her and fondling her breast, however she was too intoxicated to resist. She reported it and Subject claimed it was consensual, admitting he had fondled victim's breasts, digitally penetrated her and ejaculated on her jeans. Charges against Subject were referred to a GCM. During trial preparation, Subject was offered and agreed to accept an administrative discharge (OTH) in lieu of a trial.
285	Q2	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Victim was intoxicated and sleeping in Subject's barracks room when she was awakened to subject having sex with her. Subject claimed it was consensual. Per the SJA, after an Article 32 hearing, a decision was made to not go forward with the prosecution in this case.
286	Q3	E4	E2	M	F	Abusive Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim and Subject were laying in victim's bed together after consuming alcohol when Victim fell asleep. Victim awoke to Subject's hands down her pants touching her outer vaginal area. Subject claimed victim was awake and thought she was interested in him sexually. Subject was found guilty at a Special Court Martial and sentenced under Article 128 (Assault). Subject was found not guilty of violation of Article 120. Subject was sentenced to 45 days hard labor without confinement, forfeiture of \$200 for three months and a reprimand.
287	Q3	O1	O1	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim was sleeping in an off base hotel room she was sharing with Subject and another female friend. Victim woke up to find Subject penetrating her. Victim managed to get free and ran to the bathroom. The next morning, Subject admitted to a friend that he had sex with Victim. Subject was taken to a GCM and was found not guilty on all charges.
288	Q3	E2	E2	M	F	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	UNKNOWN unknown: Victim claimed Subject repeatedly touched her vaginal area over her clothes while she was on watch aboard a USN ship. Subject admitted to touching Victim's breasts, butt, and vaginal area over her clothes. Subject pled guilty at a SCM to violating Article 92 (Sexual Harassment) of the UCMJ. Subject received a sentence of 30 days confinement.
289	Q3	E6	E2	M	M	Sodomy (Article 125)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim was sleeping and awoke to find Subject performing oral sex on him without his consent. After an Article 32, it was determined there was not sufficient evidence to move forward with a GCM. Command went forward with an NJP and ultimately levied a discharge for "other than honorable conditions" against Subject.
290	Q1	E5	E3	M	F	Sodomy (Article 125)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim was supposed to go out with subject, but decided not to. When Subject arrived at Victim's room he began touching Victim and biting her on her breasts. Victim told Subject "no" and advised it hurt. Subject then began to forcibly sodomize her (oral sex). Victim struggled and told Subject "stop" and "no" numerous times. Subject was charged with three specifications of violation of Article 120 (Wrongful Sexual Contact), one count of violation of Article 125 (Sodomy), and one count of violation of Article 128 (Assault). The Article 32 Investigating Officer recommended that charges not go forward due to lack of evidence. Command concurred with the recommendation.
291	Q1	E6	E1	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Investigation was initially worked by a local jurisdiction but the local DA declined to prosecute due to "lack of evidence to prove beyond a reasonable doubt". Command requested NCIS open an investigation into the matter. Victim was at Subject's residence where they were drinking. Victim fell asleep and reported Subject entered the room and had nonconsensual sex with her. An Article 32 Investigating Officer recommended referral of charges. The Investigating Officer found reasonable grounds to believe the rape had occurred but victim failed to show for the hearing and attempts to locate were unsuccessful. Subject went to a Summary Court Martial where he was found guilty of Articles 92 (Failure to Obey an Order) and 107 (False Official Statements) of the UCMJ. Subject was sentenced to 60 days restriction to the base and forfeiture of \$1,000/mo for 1 mo.

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292	Q1	E2	E2	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim was inquiring about the location of cleaning supplies when subject led victim to a storage closet and shut the door. Subject digitally penetrated Victim and fondled her breasts. Subject and Victim were caught by a senior petty officer. Upon questioning, Victim claimed the sex acts were nonconsensual. Subject maintained it was consensual. Article 32 Investigating Officer did not recommend referral.
293	Q1	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim claimed she was raped by Subject in his apartment. Subject admitted to sex with Victim but claimed it was consensual. Subject was found not guilty at a GCM.
294	Q2	E3	E2	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Victim alleged that she was drunk at a party and met up with her friend (Subject) who took her into a bedroom and forcibly engaged in sexual intercourse with her. Victim advised she crossed her legs, "kneaded" Subject, physically resisted and told Subject "no". When Victim confronted Subject he admitted what he had done was wrong. Subject advised incident was consensual during interrogation. Article 32 Investigating Officer recommended against referral due to inconsistencies in Victim's statements.
295	Q3	E4	E4	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Subject and Victim were at Subject's house and both consumed alcohol. Victim claimed she was "tipsy" but not intoxicated. Victim alleged Subject removed her pants and underwear and digitally penetrated her. She told him "no". He then had nonconsensual intercourse with her. Subject stopped after she told him to stop several times. Subject claimed the sex acts were consensual. The Article 32 Investigating Officer did not recommend a referral for prosecution and no further action occurred.
296	Q3	E3	E4	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim was drinking at a bar when she went home and went to sleep. Victim awoke with an unknown male raping her. Subject was identified through his DNA and he subsequently confessed to the offenses. Subject pled guilty to Rape (120) and False Official Statements (107). He was awarded 6 years confinement, reduction to E-1, forfeiture of all pay and allowances, and dishonorably discharged from the Navy.
297	Q2	O1	MIDN (C1)	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS unknown: Victim met Subject at a party and went to Subject's apartment after the party. Victim claimed Subject removed her clothes and had nonconsensual sex with her. the Article 32 Investigating Officer recommended against referral.
298	Q2	E7	E1	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim claimed she was sexually assaulted by Subject in a hotel. Subject was found guilty at a GCM of Fraternalization, Providing Alcohol to Minors, and Wrongful Sexual Contact. He was awarded 90 days confinement, reduction to an E-1, and a bad conduct discharge.
299	Q1	E5	E3	M	F	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Subject approached victim from behind and grabbed victim's right breast in addition to grabbing her firmly between her legs. Subject admitted the indecent assault and was found guilty at a GCM of violation of Article 92 (Failure to obey an order or regulation) and Article 120 (Wrongful Sexual Contact). Subject was sentenced to 8 months confinement, reduction to E-1, and a BCD.
300	Q3	O3	E2/E3	M	F (2)	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS unknown: Victim #1 came forward and claimed that Subject had raped her multiple times while she was undergoing counseling sessions with him. Victim #2 claimed to have been raped when visiting his apartment. Subject was the Command Chaplain. Subject went to a GCM and was found guilty of Violation of Article 92, (Failure to Obey a Lawful Order) and Article 120 (Rape). He was sentenced to 10 years confinement and dismissal from the USN.

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301	Q2	E4	E2	M	M	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim claimed after an evening of heavy drinking, subject fondled his genital area on the outside of his underwear in Subject's hotel room. Subject allegedly refused to allow Victim to leave the hotel and at one point pulled a knife on Victim. Victim wrestled the subject to the ground and forced him to drop the knife. Subject was taken to a GCM for violations of Article 97 (Unlawful detention), Article 120 (Rape, Sexual Assault, and Other Sexual Misconduct), Article 128 (Assault), Article 93 (Cruelty and Maltreatment) and Article 134 (Abuse of Authority). Subject was found not guilty on all charges.
302	Q3	E5	E1 (8), E2 (3)	M	F (11)	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Subject was a Corpsman and he allegedly conducted inappropriate or unnecessary pelvic and/or breast exams on nine named victims. Subject denied all the allegations. Subject went to a SPCM and was found guilty of violation of Article 92 (Failure to Obey and Order or Regulation) and Article 107 (False Official Statements). Subject was awarded a reduction in rank to E-4, a reprimand, 60 days restriction, and 90 days unconfined hard labor.
303	Q1	E5	E3	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	OCONUS off-base: Victim advised her command master chief that she was raped by Subject (fellow crewmember) during a beach party/campout. Victim reported she consumed large amounts of alcohol and passed out in the back of a pick-up truck she had rented, later awaking to Subject having sexual intercourse with her. Witnesses at the party reported Subject was sitting by the camp fire most of the night. Command SJA declined prosecution; indicating this investigation lacked sufficient evidence.
304	Q2	UNK	CIV	M(2)	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	CONUS on-base: Victim was engaged in sexual activity at Navy lodging with 2 subjects, one a civilian, (former USN) and one a USN Reservist. An acquaintance of Victim reported Victim's past behaviors involved becoming intoxicated and having sexual contact with various men. SAUSA declined prosecution of civilian due to lack of evidence. Command also declined to pursue any legal action against the reservist involved with the victim.
305	Q2	E2	CIV	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	CONUS on-base: Victim was sleeping in Subject's barracks room when she awoke to find him having sex with her. Subject claimed it was consensual. The initial investigation was handled by civilian police but the local DA declined to prosecute. The Command then reviewed the case but opted against an Article 32 due to insufficient evidence.
306	Q1	UNK	CIV	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	CONUS unknown: Victim claimed she was raped when 16 by Subject. They were in a dating relationship but Victim claimed Subject had sex with her at least three times when she was too young to consent. A subsequent investigation found no support for the allegations and SJA declined to prosecute due to insufficient evidence to substantiate the allegation.
307	Q3	E2	CIV	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	CONUS on-base: Victim's mother reported alleged sexual assault to authorities. Subject denied culpability. No statements of evidentiary value were developed after interviews of numerous potential witnesses. Subject took a polygraph which failed to show deception. Command indicated they would not pursue further legal action against subject due to lack of evidence.
308	Q3	UNK	E1	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	OCONUS unknown: Victim initially reported she was raped. Later she stated it could have been consensual as she could not remember the details of the incident due to her high level of intoxication regarding the night in question. Command advised that due to lack of evidence to support the victim's allegation, the command was declining to prosecute.
309	Q3	E1	E2	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	CONUS on-base: Victim woke up "hung over" and felt violated. She reported she may have been drugged then sexually assaulted. Subject reported drinking with Victim and reported Victim "came on to" him. They ended up kissing and Subject claimed he consensually digitally penetrated Victim. Trial Counsel advised insufficient evidence existed for the case to go to trial.

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310	Q1	E5	E4	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	CONUS off-base: Victim was intoxicated and woke up to find Subject's penis penetrating her from behind. Victim indicated she was too intoxicated to have given consent. Subject admitted having sex with the Victim but stated she was an active participant. He subsequently advised that in retrospect Victim may have been unable to give consent. Naval authorities declined prosecution however they requested the case be forwarded to the local civilian authorities to see if any state laws were violated. After review by the local Prosecutor's office, they too declined to prosecute.
311	Q2	E2	E3	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	CONUS on-base: Subject took intoxicated victim back to her barracks room after a party. Victim claimed she recalled the feeling of having sexual intercourse but due to her level of intoxication, she did not say "no". Victim reported being "confused and intimidated" by Subject's physical stature. Victim believes she performed a lap dance for Subject and performed oral sex on him but she could not recall either. Subject claimed all the sex acts were consensual. SJA advised command that the investigation lacked sufficient evidence to prosecute.
312	Q2	E5	E2	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	CONUS on-base: Victim was out at a local bar became intoxicated. She returned to her ship and woke up the following morning with abdominal pains. A friend told Victim she had engaged in oral and vaginal sex with Subject. Subject denied allegations and a subsequent polygraph examination showed no deception. The RLSD advised the case could not be pursued due to insufficient evidence.
313	Q1	UNK	E5	M	F	Attempts to Commit Offenses (Article 80)	Insufficient evidence of any offense	CONUS on-base: Victim claimed Subject attempted to rape her when they were intoxicated but could not complete the act due to his inability to maintain an erection. A witness claimed he was with both parties at the time of the alleged assault and denied seeing any sexual behavior. During a follow up interview, Victim stated she could not recall what she told NCIS during her first interview. Case did not have sufficient evidence for prosecution.
314	Q1	UNK	E3	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	CONUS on-base: Victim alleged that she was sleeping with Subject in her bed when he raped her. Others in the room claimed they did not hear a struggle. No charges were preferred due to insufficient evidence.
315	Q3	E5	E3	M	F	Aggravated Sexual Assault (Article 120)	Insufficient evidence of any offense	CONUS on-base: Victim claimed Subject (her fiance at the time) raped her in the shower of her barracks room. During a consensually monitored telephone call, Subject admitted he was wrong for forcing himself on Victim without her consent. Evidence was determined to be insufficient for prosecution.
316	Q3	E3	FOR NAT'L	M	F	Indecent Assault (Article 134)	Nonjudicial Punishments (Article 15 UCMJ)	OCONUS off-base: Canadian Victim met Subject at a bar and then invited him home with her. Victim reported Subject groped her under her shirt. When she told him she did not want to have sex with him, he tried to strangle her and threw her to the ground then ran off. The command duty officer turned Subject over to Victoria (British Columbia) PD where investigation is open and warrant is still pending. Command took Subject to NJP where he was found guilty of Art 92 and Art 134; he was awarded 30 days restriction & extra duty, forfeiture of 1/2 pay for 2 mos. and reduced to E2.
317	Q1	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	OCONUS off-base: Victim was in a dating relationship that included consensual sex with the suspect. They had rented a hotel room to celebrate Suspect's birthday. Subject became intoxicated and proceeded to rape victim. Subject given NJP and received a reduction in rank to E-2, 45 days restriction, 45 days extra service, and a fine of \$ 1,587.90.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
318	Q4	E6	CIV	M	F	Rape (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Investigation initiated when Subject, a Navy Recruiter, was arrested for raping a female he was trying to recruit into the Navy. The local jurisdiction subsequently dropped the charges due to delayed reporting by the victim, no corroboration and lack of physical evidence. NCIS opened an investigation. It was learned Subject was the subject of two previous rape cases, an assault case and a burglary investigation. Numerous attempts to locate the victim and/or her mother met with negative results. Command took Subject to NJP for Failure to Obey an Order or Regulation (Article 92) and Forgery (Article 23) for the irregularities on how Subject handled the recruitment process of Victim. Subject received an oral reprimand and one reduction in grade. Subject went to an Admin Board and will be retained in the Navy.
319	Q1	E3	CIV	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim went to visit Subject in his barracks room. Subject kissed victim and rubbed up against her even after victim resisted and informed subject she had a boyfriend. Subject went to NJP and was found guilty of UCMJ Article 128 (Assault). He was awarded a reduction in rank to E-2, forfeiture of \$754 for two months and 60 days restriction.
320	Q1	E4	CIV	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS unknown: Subject was in the car with victim and forced her to place her hand on his exposed erect penis. Subject was taken to NJP for violation of Article 120 (Wrongful Sexual Contact). Subject was awarded counseling for sexual assault, forfeiture of \$498, and extra duties/restriction for 14 days. Subject was retained in the USN.
321	Q1	E3	E3	M	M	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	OCONUS on-base: Victim was asleep at his computer station when Subject videotaped himself (Subject) touching Victim's head with his (Subject)'s genitals. Subject claimed it was a joke and that he received no sexual gratification. Subject was taken to NJP and awarded reduction to E-2 (suspended for 6 months), forfeiture of \$352 for one month, and 14 days restriction.
322	Q3	E7	E3	M	F	Aggravated Sexual Assault (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS off-base: Victim was drinking heavily and woke up in her hotel room she was sharing with Subject to someone having sexual intercourse with her. A few weeks later Subject admitted to engaging in sex with Victim. Report was initially restricted but Victim changed to unrestricted. Subject went to NJP and was awarded 60 days restriction and forfeiture of half a months pay for two months.
323	Q3	E4	E4	M	F	Abusive Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS unknown: Victim consumed large amounts of alcohol and passed out. Victim awoke topless in bed and Subject was rubbing her leg. Subject initially denied any sexual involvement with Victim but he later admitted he made false statements. Subject admitted he entered the bedroom where Victim was sleeping, laid down on the bed and touched the outside of her clothing by her vaginal area. He advised Victim pushed him away and he did not touch her further. Subject went to NJP for providing a false official statement but did not receive any punishment.
324	Q2	E5	E3	M	F	Sodomy (Article 125)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Subject was Victim's immediate supervisor and the incident occurred during working hours. Subject exposed himself to Victim and attempted to force Victim to perform oral sex on him. Subject at first denied claims. Subject took a polygraph examination after which he admitted he had lied. He then stated Victim had consented to oral sex. Subject went to NJP and was found guilty of Indecent Exposure, Sodomy, Adultery, False Official Statements, and Failure to Obey an Order or Regulation. Subject was reduced in rank, given 14 days extra duty, and forfeiture of 7 days pay. Subject was subsequently discharged from the USN on a General Discharge under Honorable Conditions for the commission of a serious offense.
325	Q1	E5	E3	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Subject placed Victim's hand on his erect penis during working hours. Subject was found guilty of violation of Article 120 at NJP and was awarded 30 days restricted duty, extra duties, a reduction in rank to E-4 (suspended for 6 months), and forfeiture of one half pay for two months (suspended for six months).

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
326	Q1	E5	E5	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim stated that Subject touched her in a sexual way without her consent. The touching consisted of touching the victim's pubic area, breast and back. Subject was found guilty of violation of Article 92 (Failure to Obey an Order or Regulation) and Article 93 (Cruelty/Maltreatment). Subject was taken to NJP and awarded 60 days restriction to the base detention facility, a reduction in rank to E-4, and forfeiture of \$1,202 per month (suspended for six months).
327	Q1	E6	E1	M	F	Aggravated Sexual Assault (Article 120)	Other Administrative Actions	CONUS on-base: Victim was sleeping when she awoke by hearing footsteps and seeing a flashlight in her room. Victim was on Restriction and Subject was the duty Master at Arms. Subject sat on Victim's bed and began groping her breasts and digitally penetrating her against her will. Subject denied culpability. Subject was given a non-punitive letter of caution for his actions.
328	Q1	E4	E4	M	M	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base: Victim claimed Subject (his roommate) slid his hand under Victim's boxer shorts and caressed his buttocks and attempted to grab his penis. Victim awoke while the touching was going on and engaged in a physical altercation with Subject. Subject was given a punitive Letter of Reprimand from his Command.
329	Q3	E1	E2	M	F	Aggravated Sexual Assault (Article 120)	Other Administrative Actions	CONUS off-base: Victim and Subject went swimming together in a remote location. They began kissing and subject groped Victim's breasts and digitally penetrated her against Victim's will. Subject received an Administrative Counseling and Warning from Command and was told not to engage in any future behavior of this nature.
330	Q1	MIDN	MIDN	M	F	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base and off-base: Victim stated that subject touched her many places on her body including her breasts without her consent. Subject, a Midshipman, was disciplined by being awarded 70 demerits, 30 days restriction, 10 area tours, and 15 extra hours of duty.
331	Q2	E5	E5	M	F	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base: Victim alleged that Subject grabbed her from behind, touching her breasts and hips. On a separate occasion, Subject grabbed her crotch area. Subject was not prosecuted but Victim was granted a permanent change of command at her request.
332	Q1	E6	CIV	M	F	Rape (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	OCONUS unknown: Victim claimed Subject entered her residence and held her against a wall and raped her several times. Subject submitted to a polygraph which indicated deception. Subject eventually admitted his involvement in the rape and was awarded NJP of 30 days restriction/extra duty, \$500/month pay dock for 2 months, and was reduced one grade (suspended for six months). NJP was for violation of Article 134 (Adultery).
333	Q1	E5	E3	M	F	Aggravated Sexual Assault (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	CONUS off-base: Victim and Subject were drinking and went back to the hotel room they were sharing with their friends. Victim reported waking up and finding Subject having sexual intercourse with her. Subject denied engaging in any sexual activity with victim. Other personnel who were in the hotel room did not substantiate Victim's claim. Evidence did not support prosecution for sexual assault. Subject received a Page 13 entry for having the poor judgment to sleep in the same rack as a female sailor and reference to drinking to excess with junior sailors.
334	Q1	E5	E3/E5	M	F (2)	Sodomy (Article 125)	Subject deceased or deserted	CONUS: unknown/off-base: Victim #1 was intoxicated and left in the care of Subject, who forced her to perform oral sex on him. Victim #2 awoke to find Subject digitally penetrating her. No charges were pressed by either the State Attorney's Office (FL) or the RLSO, due to the inability to extradite. When case was closed Subject was a fugitive in Barbados. The U.S. Marshall's Service Fugitive Task Force has issued a "blue notice", which allows for notification if Subject attempts to depart Barbados.
335	Q1	UNK	E1	UNK	F	Rape (Article 120)	Subject Unknown	CONUS off-base: Victim was allegedly sexually assaulted at a motel, but refused to give any information to law enforcement regarding the identity of her alleged attacker or even what happened.

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336	Q2	UNK	E5	M	F	Indecent Assault (Article 134)	Subject Unknown	OCONUS on-base: Victim was intoxicated at a club when she met Subject, who made unwelcome advances. Victim eventually left the club, and was followed by Subject who continued to grind on her and kiss her face and neck. No subject was ever identified.
337	Q3	CIV	E5	M	F	Rape (Article 120)	Subject Unknown	CONUS off-base: Victim was allegedly raped by an unknown civilian in Virginia Beach. However, she could not provide any identification or a place as to where the rape occurred. Therefore, the investigation was dropped and considered closed by local authorities.
338	Q1	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Subject Unknown	OCONUS off-base: Victim was sleeping when she felt a finger being inserted into her vagina. Victim woke up to see an unknown Subject standing over her. Victim possibly identified the perpetrator, but was uncertain. Numerous witness interviews failed to identify a suspect. The person identified by Victim as possibly being involved denied all allegations to NCIS and to his friends. The inability to positively identify a Subject precluded the possibility of action.
339	Q3	UNK	E3	M	F	Aggravated Sexual Assault (Article 120)	Subject Unknown	CONUS off-base: Victim was drinking alcohol at the apartment of an unknown man. She went to sleep clothed and woke up partially clothed. Victim believed someone unknown had sex with her. The investigation was worked by a local law enforcement agency. No suspects were identified. The local jurisdiction eventually closed their case, unresolved.
340	Q3	UNK	E3	M	F	Aggravated Sexual Assault (Article 120)	Subject Unknown	CONUS off-base: Victim was found with her pants pulled down by local police when they responded to the residence on another matter. Victim stated she did not remember being sexually assaulted. A SAFE exam showed Victim to have some visible injuries to her vaginal area. No DNA was present and no suspects could be identified.
341	Q1	E4	E5	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - Command Action Precluded	CONUS off-base: Victim and Subject had been drinking and went to Subject's house. Victim then fell asleep and alleged that she woke up to find Subject engaging in sexual intercourse with her. Subject claimed the actions were consensual, and victim recanted her story after the case was turned over to the RLSO. Legal did not recommend prosecuting subject.
342	Q3	UNK	E3	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - Command Action Precluded	CONUS off-base: Victim was at a party with other Sailors and was highly intoxicated. Victim commented she had "sex with the new engineer" but later advised she couldn't remember having sex, due to her extreme intoxication. A witness observed an identified sailor having sex with the victim. Witness said sex appeared to be consensual. A potential subject was identified and he admitted to having sex with Victim, but claimed it was consensual. Due to Victim's lack of memory, it could not be determined whether a crime occurred. Command advised no evidence of criminal wrongdoing was present. No judicial or administrative action was taken.
343	Q2	E5	E6	M	M	Wrongful Sexual Contact (Article 120)	Unfounded - Command Action Precluded	CONUS on-base: Victim alleged that for over a year, Subject made sexual comments to him, kissed him, grabbed his buttocks and fondled his genitals. Subject was observed by several command members massaging Victim and making advances towards him in a sexual manner. No one witnessed Subject grabbing victim's genitals. Subject's command counseled him concerning what constitutes sexual harassment and also determined the allegations of genital fondling were unfounded. No judicial or administrative action occurred.
344	Q3	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS off-base: Victim and three friends went out drinking during A school. They ended up at a hotel, watching movies and drinking. Victim woke up the next morning partially clothed with vaginal bleeding. Due to lack of evidence that a crime was committed, no adjudicative/judicial action could be taken.
345	Q2	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim and Subject spent the night in her room and Victim alleged rape. During a second interview with Victim, she realized she did not inform Subject (either physically or verbally) of her desires to not engage in sexual intercourse. Subject stopped the sexual intercourse as soon as Victim asked him to. The elements of rape (or other illegal sexual act) were not present.

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346	Q1	E1	E2	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim and Subject went back to Victim's barracks room after drinking. Victim woke up naked with a used condom nearby. Victim believed she had been sexually assaulted and reported the incident. Subject was interviewed and advised the sex was consensual and stated the victim was aware of what was going on. During the investigation, Victim opted not to assist law enforcement further and signed a VPS. Subsequently a friend and fellow command member provided a sworn statement indicating the victim knowingly made a false allegation against the subject because he told their command that she had been drinking underage. Based on the witnesses' sworn statement and the VPS, the investigation was closed.
347	Q2	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim was given oral sex by Subject who also digitally penetrated her and fondled her breasts. Subject stopped when Victim told him she did not want to have vaginal sex. During a second interview with Victim, she advised that she reported the sexual encounter as a "rape" because she regretted allowing it to happen and her fiance and his mother had persuaded her to report the allegation. The investigation was closed as the criminal elements were not met.
348	Q2	E5	E5	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim went with 2 shipmates to a bar and consumed alcohol. Later that night, Victim's shipmates departed and Victim went to another bar where she met the Subject. Victim did not recall next events, but awoke the next morning naked in bed with the Subject. Subject acknowledged they were both drunk and claimed Victim was conscious and capable of making decisions. Victim signed VPS and Commanding officer indicated no action would be taken against the Subject.
349	Q1	CIV	E4	M	F	Abusive Sexual Contact (Article 120)	Victim declined to participate in the military justice action	OCONUS off-base: Victim alleged Subject bought her drinks and subsequently groped her while at a dance club. Witnesses reported Victim appeared intoxicated and was dancing closely with several enlisted members. Victim claimed she blacked out and later awoke to Subject with his hands down her pants. Subject denied culpability; Victim did not wish to testify and signed a VPS. Command advised no action would be taken against Subject due to lack of evidence.
350	Q2	UNK	CIV	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim was visiting her sister when Subject came over. They watched movies and Subject began touching the Victim against her will, eventually forcing himself on her and raping her. Victim reported it but then provided a letter to the RLSO indicating she did not want to participate in prosecution. Command declined to prosecute after RLSO received the letter.
351	Q1	E5	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Victim and Subject were allegedly dating. One night, both were at Subject's apartment drinking vodka when Victim laid down on Subject's bed. Subject then joined her and engaged in sex, thinking it consensual. Victim began to cry and Subject immediately stopped and consoled her. Command advised they would not proceed with formal charges at this time due to lack of physical evidence and Victim's desire not to participate in the investigation. Victim signed a VPS.
352	Q1	E2	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim was fondled on a beach by subject. Both were in an intoxicated state, but many witnessed the assault. Neither Command nor a local jurisdiction took action against subject. Victim signed a Victim Preference Statement.
353	Q3	UNK	E5	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Victim was drinking and claims she was raped by a white male (later identified). Subject claimed the relations were consensual and that Victim was not too intoxicated to give consent. Victim declined to participate in a prosecution.
354	Q1	UNK	E4	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Victim claims to have been sexually assaulted but declined to press charges and was generally uncooperative during the investigation. Victim signed a Victim Preference Statement, which was provided to victim by JAG. Legal declined to take any action after conferring with Victim.

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355	Q1	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim claims to have been in her room when she was sexually assaulted by Subject. However, Subject denied anything sexual occurred. Victim declined to provide details pertaining to her alleged sexual assault.
356	Q1	E2	CIV	M	F	Attempts to Commit Offenses (Article 80)	Victim declined to participate in the military justice action	OCONUS off-base: Victim claimed Subject exposed himself to her in a stairwell, then attempted to rape her from behind. Subject admitted to these things, but no charges were pressed due to the noncooperation of Victim.
357	Q1	E5	CIV	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim was sleeping at a friend's house when she passed out due to excessive consumption of alcohol. Victim awoke to Subject engaging in sexual intercourse with her from behind. As soon as she resisted, he left. Victim refused to cooperate with prosecution.
358	Q2	E2	CIV	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim alleged that she was raped by Subject in his barracks, but Subject claimed it was consensual. Repeated attempts to contact Victim and obtain a statement concerning her allegation were unsuccessful. Trial Counsel advised upon review of investigation, prosecution would not be sought against subject due in part to victim's lack of cooperation.
359	Q2	E6	E4	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS on-base: Victim and Subject engaged in sexual intercourse. Victim advised she was highly intoxicated and unable to consent. Subject claimed it was consensual. Victim advised the SJA that she would not cooperate with any prosecution against Subject.
360	Q1	E2	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS on-base: Victim and Subject had been drinking heavily. Later in the night, Victim woke up to find Subject raping her. Subject claims the sex was consensual. Victim reported her allegation about 3 months after incident. Command advised no prosecutorial actions would be taken against the subject subsequent to victim signing a letter of declination prepared by the SJA, which indicated she no longer wished to participate in the investigation.
361	Q2	E4	E3	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Victim spend the night at Subject's house and awoke to find him kneeling by her, digitally penetrating her vagina and rectum. Subject claimed Victim was awake and it was consensual. Victim refused to cooperate and investigation could not proceed.
362	Q1	E7	E3	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS off-base: Victim claims she had been at a bar drinking and became intoxicated. She woke up in an unknown man's hotel room without her underwear. She could tell someone had sex with her. Subject was later identified and admitted to consensual sex with the victim and reported she was not intoxicated at that time. Victim subsequently reported she was forced to report being raped by the Chaplain and SAVI and she no longer wants to proceed with the investigation. Victim signed a VPS. The case was presented to the XO for review for fraternization issues.
363	Q2	E2	E4	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim had some friends over to her home and later at night she woke up to Subject straddling her from behind, engaging in sexual intercourse with her. Victim told Subject to leave, which he did. She then reported the incident to local authorities. Subject was arrested. The local States Attorney's Office indicated they were declining to prosecute Subject due to improbability of conviction. The investigation was then assumed by NCIS. Victim subsequently withdrew her cooperation.
364	Q1	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim and Subject attended a party where Victim was allegedly sexually assaulted by Subject. The incident came to the attention of law enforcement due to reports from other command members. Victim declined to cooperate and did not provide any facts pertaining to the allegation. Victim signed a VPS. Subject denied sexually assaulting victim.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
365	Q1	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS unknown: Victim was attending a party with some friends at Subject's house. Victim claims she blacked out after consuming a large amount of alcohol. She woke up to find subject digitally penetrating her. Victim believed she was drugged. Interviews of witnesses and Subject indicate there were several participants in ongoing sexual encounters. All state Victim had been drinking, as had they. NCIS made numerous attempts to re-interview the victim. She eventually advised she did not want to discuss the matter and signed a VPS. The case was then closed.
366	Q1	E6	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim was contemplating joining the USMC and was with USMC recruiters at a local bar. After the bar she went to the residence of a USMC SSgt. Victim claims she was raped by the SSgt. No information pertaining to alcohol usage by any of the parties involved. The Victim declined to participate further in the investigation and the investigation was closed by NCIS.
367	Q1	E3 (2)	CIV	M (2)	F	Rape (Article 120)	(2) Unfounded - DoD Action Precluded	CONUS unknown: Victim alleged two subjects raped her. NCIS was requested by CGIS to administer polygraph exams to Subject 1 & 2. However, upon review of the investigative files, no issues of forcible rape were developed. Polygraph was denied. Limited assisted only.
368	Q1	E4/E3	CIV (2)	M (2)	F (2)	Aggravated Sexual Assault (Article 120)	(1) Courts-Martial Charge Preferred (initiated) (1) Civilian or Foreign Authority - Person NOT subject to the UCMJ	CONUS on-base: Two female Victims were consuming alcohol at an on-base bar and met two enlisted Sailors. These men gave their phone numbers to Victims, who subsequently called them and invited them to an on-base residence. Victims, who were highly intoxicated, claimed they were raped by the two Sailors. One suspect requested legal counsel, the other advised the sex was consensual. Subsequent to an Article 32 hearing, the charge of rape was dropped against Subject #1. Subject #2 got out of the USN during the investigation and was tried by a jury in the local jurisdiction. He was acquitted of second-degree rape.
369	Q3	E4/E5	CIV	M (2)	F	Aggravated Sexual Assault (Article 120)	(1) Insufficient evidence of any offense (1) Administrative Discharges	OCONUS on-base: Victim was intoxicated with subjects and went back to her room to watch movies. There she claims she was raped twice by one subject and potentially once by another (Subject #2). Subject #2 showed deception during a polygraph exam. Subject #2 was administratively separated and he received an OTH Discharge. Command did not take action against Subject #1 due to lack of evidence and lack of victim participation.
370	Q3	E3/E5	E1	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim was drinking with Subjects and dancing in Subject #2's room. Subject #1 began kissing her neck, and she performed oral sex on him. Subject #2 then began giving oral sex to Victim and penetrated her with his penis. Both Subjects say the actions were consensual. Subjects were taken to NJP for improper behavior with a junior enlisted sailor.
371	Q1	O1/O2	E2	M (2)	F	Rape (Article 120)	(2) Nonjudicial Punishments (Article 15 UCMJ)	CONUS off-base: Victim alleged she was raped and digitally penetrated in the ladies' room of a local bar by Subject #1 and #2. Victim advised the men followed her into the restroom and pinned her against a wall. When the bar manager walked in, one of the subjects pulled a knife on the manager. Subject was arrested for the knife assault by local law enforcement. Victim declined to assist in a criminal prosecution and Subjects were taken to NJP. Subjects were found guilty of Article 125 (Sodomy) and 133 (Conduct Unbecoming an Officer). Subject #1 and Subject #2 both received a written reprimand and forfeiture of half a months pay for two months.
372	Q3	E3/E4	E3	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Probable cause for only non-sexual offense	OCONUS aboard ship (on-base): Victim reported being raped by Subject #2 after engaging in consensual oral sex with Subject # 1. Both Subjects were taken to NJP and convicted of False Official Statements and Obstructing Justice, respectively. They were subsequently administratively separated from the Navy.
373	Q1	UNK/CIV	CIV	M/F	F	Aggravated Sexual Assault (Article 120)	(2) Victim declined to participate in the military justice action	CONUS on-base: Victim claimed to have been lured by Subjects into the bedroom in Subject's house, where she was held against her will and indecently assaulted. Subject #2 was a dependent wife. Victim declined to participate.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Gender	Victim Gender	UCMJ Violation Investigated	Disposition	Synopsis
374	Q2	E3 (2), E4	CIV	M (3)	F	Aggravated Sexual Assault (Article 120)	(3) Administrative Discharges	OCONUS on-base: Victim claimed she was raped by all three Subjects in the barracks. All three admitted to sexual involvement, but all claimed it was consensual. Victim submitted a letter to the SJA indicating she did not wish to pursue or be involved in the prosecution of this case. Subjects #1 and #2 were discharged under Other Than Honorable conditions for "misconduct". Subject #3 received a General Discharge in the "best interest of the service."
375	Q3	E2 (3)	E1	M (3)	F	Aggravated Sexual Assault (Article 120)	(3) Victim declined to participate in the military justice action	CONUS off-base: Victim and Subjects went to a motel. Subject #1 bought alcohol for everyone and Subjects and Victim became drunk. Victim passed out to be awakened by Subject #2 attempting to penetrate her anus. Victim passed out again and woke up to Subject #3 having sexual intercourse with her. A SAFE kit was submitted to USACIL and evidentiary findings were negative for semen. Victim declined to cooperate and prosecution could not be pursued.
376	Q3	E1 (3), E3 (1)	E1	M(4)	F	Rape (Article 120)	(4) Civilian or Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim and four Subjects had been celebrating their completion of training at a local hotel. Victim claims she was then raped by four Subjects later in the evening. Civilian authorities investigated and found no evidence to support Victim's claim. No charges were pressed.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
1	Q2	CIV	E3	M	F	Rape (Article 120)	Civilian / Foreign Authority - Person NOT Subject to the UCMJ	CONUS off-base: Victim reported meeting Subject at a bar and had 3 drinks with him and began having memory lapses. Subject offered to take her home, vice her friend who was also at the bar. Victim reported to civilian authorities that she believes to have been raped; no further information provided.
2	Q4	CIV	E2	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person NOT Subject to the UCMJ	CONUS off-base: After a night of drinking, Victim passed out and awoke to Subject on top of her having sexual intercourse. Local police investigating. No further information provided.
3	Q3	CIV	E1	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person NOT Subject to the UCMJ	CONUS off-base: Victim advised she passed out and as many as four unidentified subjects had sex with her. Police advised one Subject said he had consensual sex with Victim and there was no one else present. Assistant District Attorney declined to prosecute this case.
4	Q2	E4	CIV	M	F	Wrongful Sexual Contact (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Civilian authorities investigating Subject's many sexual acts between Aug-Oct08 with various victims to include groping buttocks, pulling down victims' pants, indecent exposure and masturbating in car while calling victims over. Subject received NJP in 2005 for similar offenses in Japan. Civilian Court found Subject guilty and sentenced him to 1yr in jail and 3yrs probation.
5	Q1	E2	CIV	M	F	Rape (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: After Victim's husband returned from deployment she reported that his friend got her drunk and raped her twice. Civilian authorities investigated and closed due to lack of evidence, lack of witnesses and the victim's credibility.
6	Q2	E4	E4	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim got drunk at USMC Ball and while sleeping in a friend's hotel room awoke to Subject having sex with her. Victim refused forensic exam; Civilian authorities investigated allegation, but closed case due to conflicting statements between Victim who alleged she was raped and witnesses who said it was consensual.
7	Q1	E5	E6	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim and Subject drank heavily at a bar. Victim did not recall how she got to the Subject's house, but later awoke naked in his home with a sore vaginal area. Subject claimed they had sex and he felt bad about it. Victim reported to local police department, but then later declined to participate in their investigation.
8	Q4	E4	CIV	M	F	Non-Consensual Sodomy (Article 125)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS ON-BASE: Victim drank heavily while at a party at Subject's house. Subject told her to lay down on his bed and then digitally penetrated Victim's vagina four times. Victim told the Subject to stop and kept pushing his hand away. Subject then anally penetrated her with his penis from behind. Victim left and reported she was raped to military police. Subject denied rape and invoked. DA declined to prosecute because of sketchy details and lack of specifics.
9	Q2	E4	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	OCONUS off-base: Victim alleged Subject raped her aboard cruise ship in international waters. FBI conducted investigation and arrested Subject. Subject appeared at Federal District Court of Puerto Rico and found guilty of assault, no further information provided. Sentenced to time served and fine of \$300.00.
10	Q2	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: After seeing cell phone pictures of what Victim was told was Subject and her having sex, Victim reported that she had gotten drunk at a hotel party and didn't recall what happened. Victim signed a letter requesting police department end its investigation.
11	Q2	E5	E5	M	F	Indecent Assault (Art 134)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim reported that in Sep07, she drank too much at Subject's apartment and laid nude on bed with Subject standing over her fondling her breasts and digitally penetrating her vagina while he masturbated. Subject's girlfriend came in to the room and Subject left. Investigative jurisdiction belongs to civilian authorities; NCIS will assist as requested; case closed.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
12	Q4	E3	FN	M	F	Rape (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	OCONUS on-base: Victim reported that from Sep08 to Feb09 Subject physically assaulted her and asked for sex 4 times. Three times Subject took her clothes off and raped her (no further information). Victim resisted and told him to stop each time. Victim reported to have been pregnant and later miscarried in Dec08. Civilian authorities assumed the investigation. Subject reports receiving emails from Victim indicating Victim wants money from Subject or threatened to report. Japanese prosecutor declined to prosecute.
13	Q3	E6	CIV	M	F	Rape (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Subject and Victim were drinking and then went to Victim's apartment where she passed out (clothed). Victim awoke naked and saw Subject getting dressed and leaving the apartment. Victim then passed out again and woke up that morning with soreness in her vaginal area and unidentified pubic hair on her. Victim alleged Subject raped her. Civilian authorities assumed investigation; no further information provided.
14	Q4	E1	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim reports she got drunk and thinks she was drugged while at a party at Subject's house. Victim says Subject took her to the bedroom against her protest and she awoke naked from the waist down with Subject having sexual intercourse with her. She passed out and later awoke to a naked Subject on top of her. Victim left and went to hospital; vaginal tearing was found. Locals declined prosecution due to lack of evidence.
15	Q1	E2	E3	M	F	Rape (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim says she was raped, but did not provide any further details. Case was referred to civilian authorities; no further information was provided.
16	Q1	E2	CIV	M	F	Non-Consensual Sodomy (Article 125)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim reported Subject attempted to undress her; Victim ran away. Subject later admitted culpability to forcing the Victim to perform oral sex on him, forcibly penetrating her anus and knowing she was a minor. Local authorities investigated; District Attorney declined to pursue criminal charges against Subject. Command subsequently administratively separated Subject for involvement with a minor.
17	Q3	E5	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim advised after a bout of drinking Victim and Subject were in bed together and Subject digitally penetrated Victim against her will. Civilian authorities assumed jurisdiction on the case; no further information provided.
18	Q4	E6	CIV	M	F	Rape (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Subject admitted to having sex with Victim after supplying her with alcohol. Subject arrested by civilian authorities. Locals dismissed all charges; no further details.
19	Q4	E2	CIV	M	F	Rape (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim reported she allowed Subject to enter her bedroom because she thought he wanted to talk. Subject pushed her to the bed where he proceeded to rape her and then leave. Subject was then arrested by civilian authorities. Subject received OTH discharge for commission of a serious offense; local prosecution disposition unknown.
20	Q3	O3	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim reported Subject followed her into the women's restroom and sexually assaulted her. Victim could not recall specifics of the assault or whether she consented due to the level of her intoxication. She indicated her husband urged her to report the incident. Civilian authorities elected no to seek prosecution against the Subject.
21	Q3	E3	CIV	M	F	Wrongful Sexual Contact (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim reported Subject groped her breasts; no further information provided.. Results of local investigation unknown.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
22	Q4	E5	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Subject performed cunnilingus on and digitally penetrated Victim's vagina. Subject arrested and charged by local Sheriff's Office. No further information.
23	Q4	E1	CIV	M	F	Aggravated Sexual Assault (Article 120)	Civilian / Foreign Authority - Person Subject to the UCMJ	CONUS off-base: Victim was forced to have sexual intercourse with Subject at his apartment. Subject charged by locals with Rape and Kidnapping. Subject will be Administratively Discharged from USMC under other than honorable conditions.
24	Q2	E4	E3 (2)	M	M (2)	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: After a night of heavy drinking, Subject got on top of Victims #1 & #2 as they slept and kissed face, neck and stomach before being told to stop. Both indicated they awoke and pushed Subject away who subsequently left their rooms. Command advised that no action would be taken against the Subject; no further information provided.
25	Q1	E5	E2	M	F	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim alleged Subject grabbed her vaginal area over her clothes. Subject denied it and two witnesses supported him. Command advised that no action would be taken against the Subject; no further information provided.
26	Q2	UNK	CIV	M	F	Non-Consensual Sodomy (Article 125)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim had consensual sex with estranged spouse. Subject then began to have anal sex with Victim who told him to stop, but Subject continued. Subject alleged sex was consensual and indicated Victim reported their sex as "rape" after command made her boyfriend move from her quarters. A polygraph revealed no derogatory information. Command advised it would not take action against Subject; no further information provided.
27	Q3	E6	CIV	M	F	Aggravated Sexual Assault (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS off-base: Victim alleged Subject forced her to have vaginal and oral sex at recruiting office. Due to embarrassment, Victim did not report or seek medical examination. Command advised they no longer required investigative assistance and stated no action would be taken against Subject; no reason provided.
28	Q2	E5	E3	M	M	Indecent Assault (Art 134)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim and Subject were drunk at a bar in Dec 2004. Subject grabbed Victim's penis while in the bathroom and kissed him. On another occasion, Victim claims Subject were riding in a cab back to base (drunk) and Subject nibbled on Victim's ear and tried to put his hand down Victim's pants. Command advised that no action would be taken against the Subject; no further information provided.
29	Q4	E3	CIV	M	F	Aggravated Sexual Assault (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim was at Subject's barracks room and asked him for a back rub. Victim fell asleep and awoke to Subject vaginally raping her. Victim repeatedly told him to stop, but Subject continued until he ejaculated. Victim sought medical exam and Subject invoked right to remain silent. Command declined to prosecute no reason stated.
30	Q4	E2	O3	M	F	Aggravated Sexual Assault (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	OCONUS on-base: Victim reported taking 4 Ambien pills and claimed she did not consume any alcohol while at a BBQ. Victim said Subject gave her open drinks (she thought to be non-alcoholic) and then fell asleep, waking the next morning. Victim reported that Subject told her weeks later they had sex, but she had not given him her consent. In Subject's third statement he claimed Victim was drunk and began kissing him and they had sex (oral and vaginal) in a tent. Command advised no action would be taken against Subject; no further information provided.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
31	Q3	E5	CIV	M	F	Aggravated Sexual Assault (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	OCONUS off-base: After a night of drinking, Victim and Subject went to sleep it off in Subject's SUV. Victim later awoke in the back seat with Subject having non-consensual intercourse with her. He stopped when she told him to stop and subsequently drove her home. Civilian authorities declined to prosecute and Command advised that no action would be taken against Subject.
32	Q4	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim was alone in barracks room with Subject and fell asleep. She awoke to the Subject fondling her, digitally penetrating her vagina and also penetrating her vagina with his penis. Despite her protests, the Subject held her down and continued until he was interrupted by someone entering the room. Command declined to take further action; no further information provided.
33	Q3	E3	E2	M	F	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim said Subject got into her bed kissed her and put his hand on her waist & back pressing up against her. She told him to leave, which he did. Command decided take no action, no reason given.
34	Q4	E3	E3	M	F	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim advised Subject kissed her and fondled her breast. Subject says he and Victim have kissed in the past.. Command declined to take action; no further information provided.
35	Q4	E4	E2	M	F	Wrongful Sexual Contact (Article 120)	Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)	CONUS on-base: Victim alleged Subject pulled, pinched and groped Victim's groin area against her will. Subject denied and Command decided not to pursue; no further information provided.
36	Q2	E5	E4 (2) / E5	M	F (3)	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Three victims alleged Subject sexually assaulted them, pressing his body in a sexual manner against them and kissing them against their will. Subject admitted to the sexual assaults and pled guilty at a Special Courts Martial regarding two of the Victims and received NJP for the other Victim. Subject was reduced in rank, fined and confined for 15 days.
37	Q3	E5	E2	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim alleged her drill instructor raped and sexually assaulted her in Male Side Duty Room. Victim resisted and Subject left without penetrating victim. Subject's polygraph was inconclusive. Subject pled Guilty at a Summary Courts Martial and found guilty of Article 92 (Failure Obey Order) and Art 134 (Adultery). Subject reduced in rank to E4, forfeit \$1,478 for one month, and granted a general administrative discharge under OTH conditions.
38	Q2	E3	CIV	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS: on-base: Victim passed out after drinking at a party and awoke to Subject having sex with her. Subject admitted to the offense and was found guilty of Art 120 (Rape), Article 134 (Unlawful Entry), and Art 134 (Adultery) at a General Courts Martial. Subject was sentenced to 20 yrs confinement, reduced in rank to E1, total forfeiture, and dishonorably discharged.
39	Q4	O3	CIV	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: A highly intoxicated Victim awoke naked with Subject on top of her ejaculating on her stomach. Subject admitted to the sexual offense. Subject went to GCM found guilty of 1 specification of Article 120 (Agg Sex Assault). Subject dismissed from Service, sentenced to 2 yrs confinement, and required to register as a sex offender.

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40	Q3	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim is 11 weeks pregnant and alleged Subject raped her at her barracks room. Subject claimed it was consensual. Subject found not guilty at General Courts Martial.
41	Q4	E6	CIV	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Subject and Victim dated for one week and Victim went to Subject's barracks room. Victim alleged Subject rape her and medical examination revealed vaginal trauma. Subject claimed it was consensual. Subject found Not Guilty at GCM.
42	Q4	E4	E3	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim alleged Subject raped her while at a party at his house. Victim was drunk and incapacitated and witnesses heard Victim ask the Subject what he was doing, opened the door and saw Subject having sexual intercourse with Victim. Subject found not guilty at GCM.
43	Q2	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim was asleep in her barracks room and awoke to Subject having sex with her. Subject pled guilty at a GCM to Article 120 (Aggravated Sexual Assault) and 134 (Wrongfully destroying evidence); was sentenced to 6 yrs confinement, reduced to E1, forfeiture of pay, Dishonorable Discharged, and required to register as a sex offender.
44	Q4	E6	CIV	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: In 2003, Subject was found guilty of rape at GCM. The case was re-opened when Subject was granted a new trial and SJA requested NCIS assistance in locating Victims and witnesses. Victim has had sex change operation since rape. Subject in GCM found guilty of violation Articles 92 (Failure to obey lawful order), Art 134 (not specified) and Art 128 (Assault Consummated by a Battery); sentenced to 44 months confinement/BCD and Reduced to E1.
45	Q2	E2	E3	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim and Subject and others drank in barracks room. Victim went to her room to sleep and awoke to Subject by her bed digitally penetrating her vagina. Victim rolled over and Subject hid. Victim got a male friend to tell Subject to leave her room. Subject claimed he only stroked Victim's buttocks under her clothes. Subject was found guilty at GCM and received 18months confinement, reduction in grade, and a BCD.
46	Q4	E2	E2	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim, Subject and others drank and slept in Subject's barracks room. Victim awoke to Subject inserting his penis in her vagina. Victim said "no" and Subject laid on the floor feigning sleep. Subject admitted to digitally penetrating Victim's vagina as she slept. Witness heard Victim yell at Subject and saw he was on floor (nude from waist down). Subject found guilty GCM; sentenced to BCD, 1 Yr confinement, reduced to E1 and required to register as sex offender.
47	Q4	E5	E3	M	F	Rape (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Lubbock PD conducted entire investigation involving the alleged rape of Victim (active duty recruiting assistant) by Subject (active duty recruiter). Transfer of evidence to NCIS and NCIS to provide limited assistance during trial preparations. Subject was found guilty at GCM to violation Article 120(Rape/Indecent Acts). Subject received BCD, reduction in grade, and forfeiture of all pay and allowances.
48	Q3	E2	CIV	M	F	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim reported Subject exposed himself, began to masturbate and then put his hand under her shirt and fondled her breast while she was working at a restaurant/snack bar. Subject appeared at SCM where he was found guilty and awarded 30 days confinement, reduction in rank and forfeiture of 1-mos pay
49	Q4	E4	CIV	M	F	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Subject was reported to have groped breasts of Victim while she slept. Subject went to Special Courts Martial and found guilty violation Article 120 (Rape/Sexual Assault/Other Sexual Misconduct). No indication or specifics of punishment received.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
50	Q3	E4	E4	M	F	Wrongful Sexual Contact (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim reported awaking to an unknown male fondling her breast while she was in bed in her barracks room. Subject admitting culpability in illegally entering her room, viewing her partially nude asleep in her bed. Subject pled guilty at Special Courts Martial and was awarded a BCD, reduction in grade, 12 months confinement and forfeiture.
51	Q4	E3	CIV	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim accused Subject of digitally penetrating her vagina. Subject says it was consensual. Subject went to Summary Courts Martial; reduced to E1, 60 Days Restriction to Base and forfeiture of \$1,169.
52	Q4	E4	CIV	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS off-base: Victim advised awoke naked with Subject digitally penetrating her vagina. Subject went to GCM; received 30 Months Confinement, forfeiture of all pay and allowances, reduced to E1 and BCD.
53	Q4	E3	CIV	M	F	Aggravated Sexual Assault (Article 120)	Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim advised she went to Subject's residence to return books and he forced her to have sexual intercourse. Subject admitted to the allegations and went to GCM; reduced to E1, given 12 Months Confinement, BCD, and forfeited all pay.
54	Q2	E3	E3	M	F	Wrongful Sexual Contact (Article 120)	Insufficient Evidence of any offense	OCONUS on-base: Victim reported Subject visited her barracks room and asked for a hug, but instead grabbed her breast as they were hugging. Subject claimed the incident never occurred. A wire intercept of a call between the Victim and Subject yielded negative results. Command advised no action would be taken due to insufficient evidence.
55	Q4	E3	FN	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	OCONUS off-base: Victim reported that after drinking all night at a hotel, Subject attempted to have sex with her, barely penetrating her vagina. Victim refused civilian authority's investigative assistance and NCIS assumed the investigation. Subject reported that he and the Victim have had consensual sex in the past and are in a relationship nor he did not rape her or steal her 2,000 Yen. Command declined because of lack of evidence.
56	Q4	E2	E2	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim reported she had consensual sex with Subject earlier and then told him to stop the second time and he did not. Subject was arrested by civilian authorities. Command agreed with civilian prosecutor there was not enough evidence to pursue charges and indicated no action would be taken against Subject.
57	Q4	E4	E4	M	F	Aggravated Sexual Assault (Article 120)	Insufficient Evidence of any offense	CONUS off-base: Victim advised that while she was intoxicated, Subject digitally penetrated her vagina against her wishes. Local authorities investigated; declined prosecution due to lack of evidence. Command subsequently declined to prosecute.
58	Q4	E6	CIV	M	F	Wrongful Sexual Contact (Article 120)	Insufficient Evidence of any offense	OCONUS on-base: Victim advised Subject grabbed her buttocks; no further information provided. Due to lack of evidence and cooperation of the victim, the investigation was closed.
59	Q2	E1	E2	M	F	Attempts to Commit Offenses (Article 80)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS ON-BASE: Victim alleged Subject tried to force her to perform fellatio by forcing her head down on his exposed penis. Prior to taking a polygraph, Subject admitted to allegation. Subject was found guilty at NJP and was awarded a fine and restriction.
60	Q2	E4	E3	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: While at work, the Subject asked the Victim whether she was wearing underwear. Victim indicated she was not and Subject then asked to see her breasts and solicited her to have sex and the Victim declined. Subject grabbed Victim's arms, pinned her against wall and touched her jeans as if he might look down her pants and Victim escaped. Subject received NJP reduction in rate, fine, 45 days restriction and 45 days extra duty (suspended).

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
61	Q2	E3	E4	M	M	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim took three prescription Oxycodone for pain and stumbled in hallway. Subject helped him bed and laid him face down. Subject then rolled Victim on his back and began touching his penis (over clothes) several times. Victim told Subject to leave. Subject says he saw Victim's pills in his room and thought Victim would be safer on his back and that touching Victim's penis was accidental. Subject found not guilty in NJP and no further action was taken.
62	Q2	E2	CIV	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim reported that Subject touched her breast and continued to touch her after she said stop. Subject did not recall offense due to intoxication. Subject received NJP and found guilty even though Victim decided not to cooperate and signed VPS.
63	Q3	E3	E4	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Victim reported while standing duty, returned keys to Subject in his transient room. He pulled her on top of him and rubbed her vagina (over clothes) and exposed his penis to her. Subject admitted culpability. Subject received NJP and was awarded reduction and fine.
64	Q3	E2	E3	M	F	Aggravated Sexual Assault (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS off-base: Subject fondled Victim's breasts and digitally penetrated Victim's vagina; Subject admitted to the allegations. Subject was awarded NJP; received forfeiture of \$699 pay for two months, a total forfeiture of pay of \$1398, as well as restriction and extra physical duty for 60 days.
65	Q4	E3	E4	M	M	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: While Subject groped Victim's crotch several times when helping Victim, who was intoxicated, into his bunk. Subject administered NJP; reduced to E2, Restricted to Base 60 Days, and Forfeiture of pay for 2 months.
66	Q4	E2	E1	F	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	CONUS on-base: Subject grabbed Victim as she was returning from shower, threw her on the bed and fondled her. Subject went to NJP; reduced to E1, given 30 Days Restriction and 30 Days Extra Duty.
67	Q4	E4	E2	M	F	Wrongful Sexual Contact (Article 120)	Nonjudicial Punishments (Article 15 UCMJ)	OCONUS on-base: Victim advised Subject grabbed her buttocks and rubbed her inner thighs. Subject went to NJP was Reduced in Grade, Forfeited \$876 per month for 2 months and 45 Days Restriction and Extra Duty.
68	Q2	E2	E2	M	F	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base: Victim alleged Subject came into her BEQ Rm and groped her breasts and vagina (no penetration) under her clothes. Subject indicated act was consensual and that she never said to stop or leave. Subject and Victim received formal counseling.
69	Q2	E5	CIV	M	F	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS off-base: Victim alleged Subject groped her buttocks, rubbed her back and kissed her neck while she was babysitting. Subject also alleged to send sexually explicit text messages. Subject received formal counseling.
70	Q2	O3	CIV	M	F	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base: Victim alleged Subject grabbed her buttocks and sucked on her fingers while at a Halloween party. Subject stated he was drunk and didn't recall assaulting the Victim. Subject received formal counseling.
71	Q2	E2	E2	M	F	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base: Victim alleged Subject touched her buttocks and vagina (no penetration) under her underwear while dancing. Subject said it was consensual and that the Victim gave him her phone number. Subject received formal counseling.
72	Q2	E1	CIV	M	F	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base: During party at Victim's resident, Victim alleged Subject touched her breast over clothing as she slept. Subject denied the allegation, but then later admitted to touching but not sexually assaulting Victim. Subject received formal counseling.
73	Q2	O5	CIV	M	F	Aggravated Sexual Assault (Article 120)	Other Administrative Actions	CONUS off-base: Subject and Victim drank together and kissed at a bar and then went to a motel. Subject performed oral and vaginal sex and possibly anal sex on Victim who was incapacitated. Victim called a friend for a ride home. Subject received counseling and non-punative letter.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
74	Q2	E3	CIV	M	F	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	CONUS on-base: Victim and her boyfriend slept in the Subject's barracks bed. Subject came in drunk, got into bed and groped Victim's buttocks, breasts and crotch and tried to remove her pants. Victim told him to stop and tried to wake her boyfriend who continued sleeping. Subject groped Victim until he passed out. Command advised Subject received administrative remarks, Page 11 entry and indicated no additional administrative or judicial action would be taken.
75	Q3	E5	E3	M	F	Aggravated Sexual Assault (Article 120)	Other Administrative Actions	CONUS on-base: Victim reported that after night of drinking awoke to having sexual intercourse with Subject. Victim refused to explain the incident further and chose to stop the investigation. It was determined that the Victim had requested restricted reporting during her initial reporting to a UVA; SJA recommended NCIS not pursue Victim's allegation any further. Command advised they would take administrative action against Victim (SRB-Page 11 entry for Adultery & Intoxication) and Page 11 Entry for Adultery against the Subject.
76	Q3	E3	E3	M	F	Wrongful Sexual Contact (Article 120)	Other Administrative Actions	OCONUS on-base: Subject grabbed Victim from behind, turned her and pinned his body against her body attempting to kiss her. Victim felt Subject having an erection, pushed him off and left the room. Subject received formal counseling.
77	Q4	E3	E2	M	F	Rape (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	CONUS on-base: Subject (an MP) and Victim's boyfriend, went to Victim's barracks room while on duty. Subject handcuffed Victim with his duty cuffs and consensually kissed Victim and digitally penetrated her vagina. Subject then took off Victim's pants and Victim told him to stop and that she didn't want to have sex, but Subject did not stop and allegedly raped her. Subject being separated from USMC for Dereliction of Duty. Trial counsel indicated Command would not prosecute Subject for the alleged rape due to expressed concerns regarding the veracity of Victim's account of the alleged rape.
78	Q4	E3	CIV	M	F	Aggravated Sexual Assault (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	CONUS Unknown: Victim, Subject and others got drunk at Subject's house. Victim reported being carried to bedroom where she passed out and later awoke to Subject having sex with her and Subject's wife crying. Victim decided she did not wish to pursue. Command charged Subject with Adultery.
79	Q4	O2	CIV (3)	M	F (3)	Wrongful Sexual Contact (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	OCONUS off-base: Subject is accused of having wrongful sexual contact with 3 Victims (all dependent wives) at different times. Victim #1 alleged Subject caressed her buttocks, Victim #2 alleged he tried to kiss her and guide her hand to his crotch, Victim #3 alleged he caressed her breasts. Subject went to NJP for violation Article 133 (Conduct Unbecoming); received Punitive Letter of Reprimand, forfeiture of 1 mo. pay for 2 mos., restricted to Quarters or Place of Duty for 30 days.
80	Q4	E6	E1 / E3	M	F (2)	Wrongful Sexual Contact (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	CONUS on-base: An intoxicated Subject entered barracks room and grabbed the buttocks (through the clothes) of 2 Victims. Subject went to NJP where he was found guilty of violation Article 86 (Absence Without Leave) and Art 134 (General Article). Subject ordered to forfeit \$1,475 for 1 month (Suspended).
81	Q4	E5	CIV	M	F	Aggravated Sexual Assault (Article 120)	Probable Cause for Only Non-Sexual Assault Offense	CONUS off-base: Victim reported that after passing out from consumption of alcohol she was sexually assaulted by Subject. Subject admitted to having consensual sexual intercourse with Victim. Command sent Subject to NJP for Adultery; Subject reduced to E4, Forfeited \$2,128, 45 Days Restriction and 45 Days Extra Duty.
82	Q4	E5	E2	M	F	Non-Consensual Sodomy (Article 125)	Probable Cause for Only Non-Sexual Assault Offense	CONUS off-base: Victim advised Subject forcibly had sexual intercourse with her in a vehicle. Subject advised victim performed fellatio on him and they did not have sexual intercourse. Subject will receive NJP for Misuse of a government vehicle.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
83	Q1	UNK	E5	UNK	F	Aggravated Sexual Assault (Article 120)	Subject Unknown	CONUS off-base: Victim got drunk at USMC ball, left the hotel for over 2hrs, and returned with parts of her uniform scuffed, torn, and missing and bruising on her head believing she had been sexually assaulted. Victim refused to cooperate with police and had no recollection of 4 hours on information regarding a Subject. Victim did not want to pursue investigation and signed a VPS.
84	Q2	UNK	E2	UNK	M	Abusive Sexual Contact (Article 120)	Subject Unknown	CONUS on-base: Victim reported being sexually assaulted in May08 at MOS school, but would not provide any further details. No subject was identified and victim signed a VPS, not wishing to pursue the investigation.
85	Q4	UNK	E3	M	F	Wrongful Sexual Contact (Article 120)	Subject Unknown	CONUS on-base: Victim awoke to an unknown male on top of her in her barracks room. Victim resisted and Subject ran away. No subject was ever identified; case closed.
86	Q4	UNK	E2	M	F	Wrongful Sexual Contact (Article 120)	Subject Unknown	CONUS on-base: Victim awoke to unidentified subject lying on top, touching her. Victim hit Subject and he departed. Investigation completed and no Subject was identified.
87	Q4	UNK	CIV	M	F	Aggravated Sexual Assault (Article 120)	Subject Unknown	CONUS on-base: Victim accompanied 3 Marines to barracks where large amounts of alcohol were consumed. Victim awoke believing she had been raped because her vagina itched (she is allergic to latex) and an empty condom wrapper was seen on the floor. Investigation failed to identify possible Subject.
88	Q2	E5	CIV	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - Command Action Precluded	CONUS off-base: Victim has consensual sex with Subject (estranged husband) and did not resist or protest as he had sexual intercourse with her a second time. Victim did not report until she learned Subject did not intend to reunite with her. Command advised that no action would be taken against Subject as elements of Article 120 were not met.
89	Q1	E1	E2	M	F	Non-Consensual Sodomy (Article 125)	Unfounded - DoD Action Precluded	CONUS on-base: Victim alleged Subject performed oral sex on her while in her BEQ w/o her consent. Victim recanted when witnesses (her roommate & roommate's boyfriend in adjacent bed) provided statements that indicated Victim and Subject's sex was consensual. Investigation closed.
90	Q1	E1	E1	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Subject was stopped from having sex in picnic area with the Victim who appeared unconscious with a BAC=0.436%. Later Victim claimed that if she had sex, it was consensual. Victim signed VPS.
91	Q1	UNK	E1	M	F	Rape (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim reported unidentified Subject hit her on the head and dragged her behind mess hall where he raped her. When asked about the limited information provided, the Victim got agitated saying that she hadn't told the whole truth. Victim signed VPS.
92	Q2	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim and Subject had been drinking at a wedding reception. Victim alleged Subject digitally penetrated her vagina. Subject denied and Victim subsequently apologized regarding her false report. Witnesses affirmed Subject's innocence. Victim reported no rape had occurred and declined to pursue. Victim received NJP for Failure to Obey and Underage drinking and was awarded 30 days restriction and 30 days extra duty.
93	Q2	CIV	E3	M	M	Non-Consensual Sodomy (Article 125)	Unfounded - DoD Action Precluded	CONUS off-base: Victim reported being anally sodomized and forced to perform oral sex on Subject. Subject said acts were consensual and Victim later admitted the sex was consensual. Command was briefed and the investigation was closed.
94	Q2	E1	E2	M	M	Non-Consensual Sodomy (Article 125)	Unfounded - DoD Action Precluded	CONUS on-base: An intoxicated Victim reported waking up on his side against the back of the Subject and the Victim had his erect penis exposed. Victim reported he felt like he pulled his penis out of the Subject's anus. Subject denied the allegation and medical exams of the Victim and Subject yielded negative results. Victim later indicated the allegation reported was false and possibly a nightmare (victim indicates he frequently experiences realistic nightmares after drinking).

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
95	Q2	E3	CIV	M	F	Wrongful Sexual Contact (Article 120)	Unfounded - DoD Action Precluded	OCONUS unknown: Victim reported her husband learned she had kissed Subject and he had put his hands down her pants and fondled her. Victim did not believe she was the victim of a sexual assault but reported at her husband's urging. Victim did not wish to pursue; Command was advised information did not support sexual assault allegation; investigation closed.
96	Q1	E3	E1	M	F	Wrongful Sexual Contact (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim alleged Subject, a co-worker, groped Victim's vaginal area. Victim later recanted.
97	Q3	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	CONUS on-base: Victim initially alleged she was raped by Subject but subsequently advised she fabricated the story. Victim stated she reported it because she thought a 3rd party had seen her having sex with Subject.
98	Q3	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Unfounded - DoD Action Precluded	OCONUS on-base: Victim was caught by duty watch found sleeping in the Subject's berthing area. Victim claimed she did not know how she got there, but was bruised and sore in her vaginal area. All leads were exhausted and the investigation revealed that no criminal act occurred.
99	Q3	E4	E1	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim alleged Subject raped her after she had become highly intoxicated and passed out at a party at his house. Subject denied the rape and witnesses revealed Subject's wife was making out with Victim and Subject said he'd had sex with both of them. Victim later declined to pursue the investigation.
100	Q1	E2	CIV	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim alleged she was raped by her boyfriend and may be pregnant. Victim decide to give no further details and signed a VPS. (Victim also barred from base for prostitution on military installation)
101	Q2	E4	E3	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim has MPO against Subject (former boyfriend). Subject arrived at Victim's barracks room drunk and asked for sex. He forced vaginal and anal sex and Victim freed herself. Subject denied all; Victim signed VPS because she did not want to get Subject in trouble. Command advised that no action would be taken against Subject.
102	Q1	E4	E3	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim and others were watching Monday night football and drinking in Subject's barracks room. Victim said she must have passed out and later awoke to Subject kissing her and having sex with her. Victim subsequently passed out again. Victim decided not to pursue investigation and signed VPS.
103	Q3	UNK	E4	UNK	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim reported she drank heavily at Enlisted Club and later awoke naked in her room feeling as if she had been drugged and raped (no recollection of the alleged offense). Victim later signed VPS, not wishing to pursue investigation.
104	Q1	E3	CIV	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim reported to civilian authorities that she and the Subject met online and met in person twice (in 2006 and 2007) at a hotel where Subject raped her. Subject threatened to harm her family if she reported rapes. Subject denied everything. Sheriff's Office closed investigation when Victim wouldn't cooperate. Command advised no action would be taken due to lack of Victim cooperation.
105	Q1	E5	CIV	M	F	Rape (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim's father-in-law reported Victim was raped. Victim met with NCIS, then with victim advocate. Victim's failure to pursue resulted in investigation being closed.

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Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
106	Q2	UNK	E3	M	F	Abusive Sexual Contact (Article 120)	Victim declined to participate in the military justice action	OCONUS on-base: Victim went to Subject's barracks room to watch a movie. Victim alleged Subject threw her on bed and got on top of her and began kissing her. Subject roommate tried to enter but Subject prevented him from doing so. Subject groped her buttocks (over clothes) and tried to undo her jacket. Victim indicated she did not want to have sex with Subject and he let her leave. Additional interview of the Victim was attempted, but Victim did not show and declined to participate/cooperate further in the investigation.
107	Q2	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim got drunk while at the USMC Ball and later went to her hotel room and slept. One month later Victim learned she was pregnant (no recall of having sex with anyone). One of the Victim's friends indicated Subject followed her to hotel. Subject admitted to having sex with the Victim. Since Victim could not recall if she had consensual sex or if she was raped, she was not willing to cooperate further. Victim signed VPS.
108	Q2	E3	CIV	M	F	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: CID investigation revealed Subject had touched Victim's breasts and kissed her without her consent while she was intoxicated. Victim declined to press charges and signed a VPS
109	Q3	E2	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim reported drinking while in Subject's barracks room with Subject and others. She later awoke to Subject having vaginal sex with her. Subject claimed Victim initiated the sexual intercourse, which was consensual. Witnesses reported Subject and Victim were making out before they left. Victim withdrew her complaint against Subject and Command advised no action would be taken against Subject.
110	Q3	E3	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim reported getting drunk at a party where she had consensual sex with Subject. She later agreed to go to USN Hospital to check for STD when friends told her she had been drugged and raped. Subject claimed it was consensual. Victim did not wish to cooperate and signed VPS.
111	Q4	E3	CIV	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim reported being raped by Subject in an unknown barracks room. She awoke naked in the bed of the Subject. Subject claimed sexual intercourse was consensual. Victim did not wish to cooperate and signed VPS.
112	Q1	E1	CIV	M	F	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim reported Subject place his hand inside her shirt and shorts. Subject denied allegation and stated previous menage a trois with Victim and her husband. Victim requested investigation be canceled and signed VPS.
113	Q2	E1	E2	M	M	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Witness observed Subject fondling Victim's penis when Victim was passed out from intoxication. Command advised no action would be taken against Subject due Victim's unwillingness to cooperate and lack of evidence.
114	Q3	E4	E3	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS on-base: Victim consensually got into bed with Subject, but due to intoxication passed in and out of consciousness. Although Victim and Subject have had previous sexual contact (oral & digital penetration), Victim claims Subject placed his penis in her mouth and had sexual intercourse with her without her consent. Victim decided not to pursue the investigation.
115	Q4	E4	CIV	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS on-base: Victim reported that after a night of drinking awoke to Subject on top of her. Victim does not recall if she was naked or if anything happened. Subject admitted to having sexual contact with Victim but not sexual intercourse. Victim decided to not cooperate further.
116	Q3	E1	CIV	M	F	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim became intoxicated awoke to Subject rubbing her vaginal area. Subject denied touching the Victim. Victim did not wish to provide a sworn statement and signed a VPS.

**FY09 Sexual Assault Synopses Report
United States Marine Corps**

Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
117	Q4	E3	E3 (2) / E5	M	F (3)	Wrongful Sexual Contact (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Subject involved in physically touching 3 Victims sexually. All three victims signed a VPS, not wishing to pursue an investigation.
118	Q3	UNK	E3	M	M	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS on-base: Victim awoke believing he may have been sodomized; Victim refused to provide any names and chose not to participate with the investigation and signed a VPS.
119	Q4	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: After a night of drinking, Victim alleged she was raped by a USMC Subject; she refused to provide further details for fear of retaliation. Investigation indicated Victim may have been interested in getting out of the USMC and she subsequently was honorably discharged.
120	Q3	E3	E3	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim alleged she was raped at her residence by Subject. Investigation determined Victim had sent many messages to Subject. Victim subsequently decided not to cooperate with investigation and signed VPS.
121	Q3	E4	CIV	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim advised she and Subject were drinking together in his barracks. Victim went to sleep and awoke to Subject having vaginal sex with her. Victim decided not to cooperate and signed VPS.
122	Q3	UNK	E5	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS on-base: Victim said she had been raped by member from the same unit, no other details provided. She stated she did not intend for the report to be unrestricted. She signed VPS and stated she would not cooperate further.
123	Q4	E5	E3	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	CONUS off-base: Victim advised while on temporary duty in Nevada during 12/2008 while incapacitated by consumption of alcohol Subject had unwanted vaginal intercourse with her. Victim decided not to cooperate with investigation and signed VPS.
124	Q4	UNK	E2	M	F	Aggravated Sexual Assault (Article 120)	Victim declined to participate in the military justice action	OCONUS on-base: Victim advised she was raped in her barracks' room by a fellow Marine whom she would not identify. Victim wanted the report to be restricted but told a MSGT which prevented it from being Restricted. Victim signed VPS and refused to cooperate with investigation.
125	Q4	E2 (2)	E1	M (2)	F	Aggravated Sexual Assault (Article 120)	(1) Commander Declined - UCMJ Rule 306(c) (1) (1) Courts-Martial Charge Preferred (initiated)	OCONUS on-base: Victim was having consensual sex with Subject #2 and Subject #1 joined them. Subject #2 continued and when he stopped Subject #1 got on top of Victim and had sexual intercourse with her. Both Subjects claimed it was consensual. Victim originally signed a VPS, but revoked it. Command decided not to take any action against Subject #1 (no further details provided). Subject #2 was found Not Guilty at GCM.
126	Q4	E3 / E5	CIV	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Civilian / Foreign Authority - Person subject to the UCMJ	OCONUS on-base: Sixteen-year-old Victim advised she snuck out of home and two Subjects provided her alcohol & had sex intercourse with her. Local Police determined charges unfounded. Subjects not charged.
127	Q4	E3 (2)	CIV	M (2)	F	Rape (Article 120)	(2) Civilian / Foreign Authority - Person subject to the UCMJ	CONUS off-base: Victim's arms were held by one Subject while the other Subject digitally penetrated Victim's vagina. Both Subjects admitted guilt. Local Sheriff's Office arrested and charged Subjects with 1st Degree Rape. Local case is pending; NCIS case closed.
128	Q4	E4 (2)	E3	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Commander Declined - UCMJ Rule 306(c) (1)	CONUS off-base: Victim reported that after heavily drinking at a house party, she fell asleep on a mattress and later awoke to two males lying on either side of her. Both Subjects fondled her and Subject #1 digitally penetrated her vagina at least twice, without her consent. Command was apprised of the investigation. Locals declined prosecution; subsequently the Command declined prosecution of both Subjects.

**FY09 Sexual Assault Synopses Report
United States Marine Corps**

Case Number	Quarter Disposition Completed	Subject Grade	Victim Grade	Subject Genders	Victim Gender	UCMJ Violation Investigated	Disposition	SYNOPSIS
129	Q4	E1 / E2	E2	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim and Subjects drank at Subject #1's barracks room. Victim reported she passed out and awoke to Subject #1 raping her and then awoke a second time to Subject #2 putting her clothes on. Witnesses stated they saw Victim lying nude/unresponsive with eyes open in Subject #1's room and told duty Sgt. Subject claimed sex was consensual. Subject #1 was found guilty at GCM of Article 112a(Wrongful distribution of a controlled substance), Article 92 (Underage drinking) , Article 120 (Aggravated Sexual Assault) sentenced to 28 months confinement, BCD, and forfeiture all pay; Subject #2 was found guilty at GCM Article 120 (Aggravated Sexual Assault) and Article 92 (Underage drinking) and received a BCD.
130	Q3	E2 (2)	E2	M (2)	M	Abusive Sexual Contact (Article 120)	(2) Courts-Martial Charge Preferred (initiated)	CONUS on-base: Victim reported being pulled from his rack by Subject #1 and #2 and taken to the shower, stripped naked with his feet bound. Subject #1 (naked) waved his genitals in the Victim's face and told Victim to suck on it. Subject denied allegations. Subjects pled guilty at Summary Courts Martial and awarded reduction in rank, confinement, and forfeiture of pay.
131	Q3	E2 / E3	CIV	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Probable Cause for Only Non-Sexual Assault Offense	CONUS on-base: Victim reported Subject #1 raped her as Subject #2 orally sodomized her and then raped her. Both Subjects claimed it was consensual. Although Victim signed VPS, Command advised Subjects awarded NJP for infractions that fall outside the scope of this investigation.
132	Q1	UNK (2)	E3	M (2)	M	Aggravated Sexual Contact (Article 120)	(2) Subject Unknown	CONUS off-base: Victim alleged two Subject maced him and cut open his pants and underwear at the crotch and grabbed his penis. When he cleared his eyes, he chased the Subjects for blocks, but lost sight of them. He reported all to the police, but no Subjects were ever identified.
133	Q2	UNK (2)	E2	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Subject Unknown	CONUS off-base: Victim attended party at a local hotel with 7-10 others. Most left to get beer and Victim was alone with 2 unknown males. Subject sat on top of her torso and pulled down her jeans and raped her. He was interrupted when others returned and both threatened Victim not to tell and Victim left. Victim only sought counseling and did not care who the two males were. Victim subsequently signed VPS.
134	Q4	E3 / E4	CIV	M (2)	F	Aggravated Sexual Assault (Article 120)	(2) Victim declined to participate in the military justice action	CONUS on-base: Victim reported that she and her husband were at a party with others while drinking. Victim's husband left and victim stayed. She was on a sofa with Subjects #1 and #2 on either side of her. Subject #1 pushed Victim toward Subject #2 who had his genitals exposed. Victim punched Subject #2 in his genitals and Subject #1 got mad and pulled Victim's underwear down and penetrated her vagina with his penis for about 30 seconds. Witness came into the garage, took some photos, opened garage door and Victim fled. Neighbor reported the incident. Victim advised she did not wish to cooperate further.



**OFFICE OF THE SECRETARY OF DEFENSE
SEXUAL ASSAULT PREVENTION
AND RESPONSE OFFICE**

TAB C



DEPARTMENT OF THE AIR FORCE
WASHINGTON DC

OFFICE OF THE ASSISTANT SECRETARY

FEB - 1 2010

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE (PERSONNEL &
READINESS)

FROM: Assistant Secretary of the Air Force (Manpower and Reserve Affairs)

SUBJECT: Data Call for Fiscal Year (FY) 2009 Sexual Assaults (Your Oct 5, 2009 Memo)

As requested, the Air Force FY09 Sexual Assault Report is attached. Information regarding policies, procedures, and processes implemented in FY09 and proposed plan of action for FY10 are contained in Attachment 1, data related to unrestricted and restricted reports of sexual assault in Attachment 2, and information on dispositions of Air Force cases in FY09 may be found in Attachment 3.

We will continue to work with the OSD Sexual Assault and Prevention Office to pursue effective means of prevention and response. My point of contact is Ms. Charlene Bradley, SAF/MRM, and she can be reached at 703-614-4753, charlene.bradley@pentagon.af.mil. The Air Force Program Manager and point of contact for this report is Mr Carl Buchanan, AF/A1SF, and he can be reached 571-256-1925, carl.buchanan@pentagon.af.mil.

A handwritten signature in cursive script that reads "Daniel B. Ginsberg".

DANIEL B. GINSBERG
Assistant Secretary
(Manpower and Reserve Affairs)

Attachments:

1. AF FY09 Data Call Narrative Report
2. AF FY09 Data Call Matrix
3. AF FY09 Data Call Case Synopses

TAB 1: AF FY09 Data Call Narrative Report

FY09 SAPR Program Review on Sexual Assaults in the Military: Air Force

Executive Summary

During fiscal year (FY) 2009, the Air Force (AF) maintained a robust sexual assault prevention and response (SAPR) capability through the continued placement of full-time civilian and military Sexual Assault Response Coordinators (SARC) at installations. Each SARC has completed a mandatory 40-hour training course conducted at Air University before assuming the role and working with victims. AF SARCs serve as the installation's single point of contact for integrating and coordinating sexual assault victim care services and case management; they also are responsible as a key advisor for commanders in assisting them to meet annual SAPR training requirements, implementing prevention programs, and establishing and maintaining a positive and proactive network in the surrounding community to include collaboration with off-installation service providers. The successes of the program relied heavily upon the 2,600-plus volunteer Victim Advocates (VA), consisting of AF active duty members and Department of Defense (DoD) civilian employees, to effectively work in-person issues with victims after their initial reports. Similarly, strong partnerships with other first-responder agencies and collaboration with key community providers at the installation level led to effective responses for victims of sexual assault. FY09 began a transition to an enhanced, more holistic primary prevention based approach, which provides an overarching perspective to prevention sexual assaults before they occur. Linked to this approach are key components that include consistent message campaigns, community empowerment, risk reduction, awareness through education, deterrence through effective investigative and legal processes, and synchronized response activities. To initiate this transition, the Air Force Deputy Chief of Staff for Manpower, Personnel, and Services hosted a Leader Summit that featured in-person attendance by the Secretary of the Air Force and Chief of Staff of the Air Force to re-invigorate institutional efforts. The outcome of the Summit provided clear emphasis for program direction and support throughout the Air Force. Directly supporting a research-based prevention program, the AF acquired the guidance and advice from many national experts in multiple forums or support arrangements. Significant accomplishments in FY09 include the development of a guiding strategic plan using a balanced scorecard approach, launched two major study initiatives, resolved complex funding issues and established the foundation for permanent program funding streams in FY10, and completed the bystander intervention training modules for men, women, and leaders. In FY09, the AF received 546 reports of sexual assaults; 300 were unrestricted reports (includes 40 converted from restricted reports at the request of the victims) and 286 were restricted reports (40 converted to unrestricted, leaving 246 restricted). This number of reports represents a decrease of 87 unrestricted and an increase of 24 restricted reports received in FY08. As well, 16% of victims utilizing restricted reporting indicated the sexual assaults occurred prior to entry to the Air Force; FY08 report indicated only 9.9%. The success of the SAPR program also continues in deployed environments as policies and procedures are refined at specific locations to provide the best available services for victims.

1. Program Overview

1.1 Please provide a general overview of your Service's SAPR program. This overview should include such information as:

- **Authorizing Service regulations and/or instructions and dates of publication**
- **Definitions of terms or acronyms used in your program**
- **General organizational structure of your Service SAPR program and personnel (e.g. installation Sexual Assault Response Coordinator (SARC) and Victim Advocate (VA) structure, mid-level program management [if any], and program management) as well as a brief description of how this structure changes in deployed environments**
- **Other personnel involved and their roles in your Service's SAPR Program**
- **Other (Please explain)**

The AF Sexual Assault Prevention and Response Program (SAPR) is executed from Air Force Policy Directive (AFPD) 36-60, *Sexual Assault Prevention and Response (SAPR) Program*, 28 March 2008; and, Air Force Instruction (AFI) 36-6001, *Sexual Assault Prevention and Response (SAPR) Program*, 29 September 2008.

The definitions used in the SAPR guiding directives and policy mirror those listed in Department of Defense Directive (DODD) 6495.01, *Sexual Assault Prevention and Response (SAPR) Program*; and, Department of Defense Instruction (DODI) 6495.02, *Sexual Assault Prevention and Response Program Procedures*.

The Assistant Secretary of the Air Force for Manpower and Reserve Affairs (SAF/MR) serves as an agent of the Secretary and provides guidance, direction, and oversight for all matters pertaining to the formulation, review, and execution of plans, policies, programs, and budgets addressing sexual assault.

The AF SAPR Program is a multi-disciplinary approach, involving the integrated efforts from the Deputy Chief of Staff, Manpower and Personnel (AF/A1); AF Judge Advocate (AF/JA); AF Office of Special Investigations (AFOSI); AF Chaplain (AF/HC); AF Surgeon General (AF/SG); and, AF Security Forces (AF/A7S) to deliver capabilities for installation-level Commanders to effectively execute AF policy. The synergistic approach between the functions reinforce the Air Force's commitment to eliminate sexual assaults through awareness and prevention training, education, victim advocacy, response, reporting, and accountability.

Within the AF, SAF/MRM provides oversight between the supporting functional communities and serves as the link between the AF and DoD for matters involving the SAPR Program.

The AF SAPR Program Manager is part of the AF Services Directorate (AF/A1S) and the AF/A1 portfolio; and, provides guidance/direction for the SAPR Program to major command representatives for assigned installations. The SAPR Program management office consists of a civilian program manager, a program deputy (Lieutenant Colonel), and designated individual who serves as the Chief, SAPR Plans and Resources (Major).

At the major command (MAJCOM) level, a MAJCOM Sexual Assault Response Coordinator (SARC) is responsible for administering the SAPR program within that MAJCOM and provides

functional oversight and guidance for installation SARC's to ensure compliance with DOD and AF policy, and other applicable authority. They also provide professional supervision and assistance for the installation SARC on matters such as policy interpretation, execution of duties, and other matters as warranted. When determined by the MAJCOM SARC, this assistance may require discussions with the installation SARC or victim advocates (VAs) regarding restricted reporting communications from victims in order to assist the SARC in the performance of his or her duties.

The installation Wing Commander (WG/CC), or equivalent, implements local sexual assault prevention and response programs ensuring that an immediate, trained response capability exists to support victims of sexual assault. The installation Wing Vice Commander is the designated responsible official to act for the WG/CC and supervises the installation SARC. Supervision cannot be further delegated. At each AF installation, a SARC implements and manages the installation level sexual assault prevention and response program, serving as the installation's single point of contact for integrating and coordinating sexual assault victim care services and case management. Services may begin at the initial report of sexual assault and continue through disposition and resolution of issues related to the victim's health and well-being. The SARC assists unit commanders as necessary to ensure victims of sexual assault receive the appropriate responsive care. The SARC is a key advisor for commanders in assisting them to meet annual SAPR training requirements; implementing prevention programs; and establishing and maintain a positive and proactive network in the surrounding community to include collaboration with off-installation service providers.

Both MAJCOM and installation SARC's are fulltime positions and are filled by either a civilian GS13 (MAJCOM) or GS12 (installation), or military officer in the grade of Captain or higher. Each level is also authorized an administrative assistant. At unique locations, such as AF training bases with a large transient population, the installation is authorized two fulltime SARC's (1 civilian and 1 military). SARC's must complete a mandatory 40-hour SARC course at Air University before allowed to handle confidential reports. The AF currently has 178 fulltime positions authorized.

SARC's who are military officers are also dedicated deployment assets and fulfill requirements through periodic 120-day or 179-day deployments. The AF has primary responsibility at seven main operating locations within the CENTCOM AOR; each maintains a fulltime capability by utilizing the deploying military officer SARC. Operations for SAPR are mirrored in the deployed environment as those for normal installations, as much as practicable.

AF SARC's are assisted in the care for victims by volunteer Victim Advocates (VA). The VA responsibilities include providing crisis intervention, referral and ongoing non-clinical support, including providing information on available options and resources to assist the victim in making informed decisions about their case. VA's are not assigned to victims in their own unit of assignment. The VA ensures victims continue to receive the necessary care and support until the victim states or SARC determines that support is no longer needed. The Air Force relies on volunteer Air Force military and DoD civilians to fill this critical function. VAs must receive a mandatory 40-hour VA course conducted by a trained SARC before they are allowed to work with victims. Currently, there are more than 2,600 trained and available VAs.

2. Prevention Initiatives

2.1. Please describe the policies, procedures, and initiatives implemented or advanced during FY09 to prevent sexual assault, including but not limited to:

2.1.1. Efforts by your Service to promote a culture of prevention

While continuing to maintain a robust awareness program and response capability with fulltime employees and military members, the AF initiated actions to transition to a greater, more holistic enhanced primary prevention-based approach. From a primary prevention focus, more program effort is allotted to actions that take place before sexual assault occurs. Key components to this approach include consistent message campaigns, community empowerment, risk reduction, awareness through education, deterrence through effective investigative and legal processes, and synchronized response activities.

In November, 2008, the AF hosted the first annual Sexual Assault Prevention and Response Leader Summit. Participants were representatives from functional first responders, major commands, installation Wing or Vice Wing Commanders, nationally-recognized subject matter experts, sister Services, DOD SAPRO, and other government agencies/Congressional representatives. The purpose of the Summit was to re-invigorate the program by shifting to a prevention-based focus rather than response. The two days began with a renewal of our strategic campaign messages and continued through a long-term approach that also included selected national experts assisting in the transition.

As part of the institutional process to define the AF's prevention-based approach, the SAPR Program hosted a strategic off-site planning event in February 2009 that included key Air Staff and functional managers, and major command representatives. The resulting published strategic plan serves as the roadmap for the AF and is projected to be reviewed for progress and updates on an annual basis.

2.1.2. Education and training initiatives

In FY09, the AF completed design and initial train-the-trainer sessions for the newly developed bystander intervention modules for men, women, and leaders. Bystander intervention is a strategy that motivates and mobilizes people who may see, hear, or otherwise recognize signs of an inappropriate or unsafe situation, to act. Using an interactive and dynamic model, the 90-minute courses will provide basic education about bystander intervention strategies. The format includes discussion, exercises, and scenario supported learning—the experience is fast-paced and interactive. Anticipated launch for force-wide training is projected January 2010.

The AF also implemented a new 3-day SARC Contingency Course for SARCs identified to deploy to the CENTCOM AOR. The course equips SARCs to continue prevention, outreach and response efforts and complete the SAPR mission in a deployed environment that presents unique challenges and limiting factors. It introduces the SARCs to cultural/diversity issues, first responder capabilities, GSU support requirements and Sister Service/Joint capabilities within the AOR.

As well, the AF completed the initial design of a Risk Reduction training module that focuses on understanding how perpetrators behave and includes sessions on making responsible

choices, setting good boundaries and developing good communication skills as well as avoiding behaviors that can make a person vulnerable to a sexual assault.

1) Security Forces Formal Technical Training:

Currently, the SF apprentice course instructs these areas that support SAPR: Dispatch law enforcement patrols; Prepare SF documents; Conduct preliminary investigations of incidents or complaints; Victim witness assistance program (VWAP); Rape; Assault; Secure and Process crime scenes. 4,970 students were trained in SF Apprentice Course in FY09.

The Basic Officer Course (BOC) instructs these areas that support SAPR: Crisis Intervention; VWAP; Intervention interviews. 87 SF officers completed the BOC in FY09.

2) SF First Responder Distance Learning:

A Security Forces (SF) Sexual Assault Prevention and Response (SAPR) computer-based training (CBT) module has been developed for all SF that augments annual SAPO training provided by each installation. This CBT will be available to the field in January 2010, via the SF Center of Training Excellence website. SF personnel will annotate training completion on AF Fm 1098, Special Task Certification and Recurring Training, in their electronic Air Force Training Record. In the future, this CBT will be converted into an electronic-Tactics, Techniques and Procedures (e-TTPGs) module that adds to existing e-TTPG modules for Rape, Assault and Victim Witness Assistance Program training.

Both SF formal training and CBT programs meet the requirements outlined in Department of Defense Instruction (DoDI) 6495.02, Sexual Assault Prevention and Response Program Procedures, Enclosure 6, dated 23 June 2006, which mandates all law enforcement professionals receive initial and periodic SAPR refresher training.

2.1.3. Communications, social marketing, and media initiatives

The AF fully recognizes that to achieve institutional cultural change, frequent and consistent messages from senior leaders to the Air Force population are required. In order to transition from an awareness/response model to a full-scale primary prevention based approach will require even greater synchronized messaging focused on specific target populations or actions.

Following the November 2008 AF SAPR Leader Summit, the Secretary and Chief of Staff of the Air Force issued a letter to all Airmen. The general subject of the letter expressed senior leader perspective on sexual assaults against our Airmen. The letter served to reinforce comments by the SECAF and CSAF at the Summit. The core of the message was that everyone must proactively engage to protect, and provide a safe environment, for all Airmen--all actions begin with a positive belief in our institutional values and require each to watch out for his/her fellow wingman.

Simultaneously, the AF also published multiple news releases that emphasized the importance of gathering leaders and the expectations that senior leaders have of all members in support of the SAPR Program. Subsequently, all internal SAPR presentations for different audiences have

focused on the key themes provided by the SECAF and CSAF, and expounded program activities around these philosophies. Additionally, the SAPR Operations Branch at the AF Personnel Center, launched a website for the AF SAPR Program.

2.1.4. Work done to implement or support the Department's Sexual Assault Prevention Strategy

The AF completed a comprehensive strategic plan based on a balanced score card approach. At the core of the plan are the principles identified for a "primary prevention" approach, those actions that take place before sexual violence has occurred to prevent initial perpetration or victimization.

Consistent with DOD Prevention Strategy, the AF Strategic Plan capitalizes on multi-faceted empirical, normative, and power transformation strategies that effectively address the multi-tiered approach identified in "The Spectrum of Prevention". However, to serve more constructively for the military environment, the balanced score card approach provides a significantly greater holistic approach to address the necessity for prevention by identifying mission readiness issues, impact to victim, and processes needed.

Components of the AF SAPR Strategic Plan are:

AF SAPR MISSION: Prevent and respond to sexual assault through a balance of focused education, compassionate advocacy, and justice in order to promote respect and dignity throughout the Air Force.

AF SAPR VISION: Cultivate an Air Force without sexual assault which will be the benchmark for society and model for the world.

AF SAPR STRATEGIC THEMES:

LEAD CULTURAL CHANGE—Sexual assault remains one of America's most under-reported crimes for a multitude of reasons. Included in these reasons are individual perceptions of stigma, difficulty sharing details of an extremely personal nature, as well as, organizational, investigative, judicial, and supporting activity responses. Cultural change must occur in order to encourage victims of sexual assault to report. Understanding the realities of sexual assault and the conditions under which they occur is primary to this cultural shift. Equally important, is developing an environment where sexual assaults are not tolerated and all Airmen strive to eliminate behaviors and actions that lead to sexual assault.

ENHANCE COLLABORATION—A strategic approach that integrates the populace in different forums provides the best opportunity to achieve success. There is no single entity that can provide the awareness, response and prevention necessary to support changing an institutional culture. Instead, stakeholders must establish positive relationships that work towards eliminating behaviors that may lead to sexual assault. Through effective collaboration, with both internal functional agencies and external community services, the Air Force can achieve synergistic solutions to eradicating sexual assault from within the ranks of Airmen.

SUSTAINABLE BUSINESS PRACTICES—Combating sexual assault requires long-term commitment and extensive coordinated efforts. At the core of actionable processes, the business practices must be sustainable over time with sufficient flexibility for modification based on current conditions. Plans for executing the SAPR program require continual senior leader support and emphasis, to ensure program viability and continued operations. Additionally, program delivery modes must provide measurable processes to determine program effectiveness.

AF SAPR PERSPECTIVES:

COMMANDERS, AIRMEN, FAMILIES, AND VICTIMS—Deliver mission sustaining, customer-driven support, and services that enable our Air Force members and dependents to live and work in safe environments.

- **OBJECTIVES**
 - Expand awareness
 - Enhance trust
 - Improve prevention efforts
 - Improve response efforts
 - Deliver reliable information
- **MEASURES**
 - Decrease sexual assaults/increase victim reporting
 - Victim satisfaction feedback of services provided
 - Climate assessment/Airmen awareness feedback
 - Bystander intervention training delivery
 - Evaluate training effectiveness of all AF SAPR education

STEWARDSHIP—Advance stewardship of taxpayer and Airmen resources by ensuring financial sustainability and future vision.

- **OBJECTIVES**
 - Balance funding
 - Expand and sustain adequate funding
- **MEASURES**
 - Compliance with fiscal submission schedule
 - Budget aligned to strategy
 - Percent rate funded from requirement submission

BUSINESS PROCESSES—Embrace innovative, efficient and effective operational methodologies and practices that ensure mission success.

- **OBJECTIVES**
 - Improve knowledge management
 - Improve communication
 - Increase standardization & implementation of policies & procedures
 - Improve program evaluation oversight
 - Strengthen reporting procedures
- **MEASURES**
 - Scheduled strategic messaging

- Standards compliance (inspections)
- Knowledge Now! Community of Practice utilization rate
- User operating guides
- Training completion rate

ORGANIZATIONAL CAPACITY—Maximize workforce to achieve capability delivery throughout the entire institution while capitalizing on information technologies and individual involvement.

- **OBJECTIVES**
 - Expand partnerships
 - Enhance IT innovation
 - Enhance cross-functional readiness
 - Increase manpower resources and stability
- **MEASURES**
 - Responder satisfaction feedback
 - User IT satisfaction feedback
 - SARC turnover rate
 - Manpower authorization fill rate
 - Workload analysis
 - Establish crossflow at base/MAJCOM

Each of the Perspectives is also articulated with a series of objectives and measures that provide means to evaluate completion or success.

AF SAPR INITIATIVES: The initiatives are the individual actions or activities that support one or more of the objectives and measures of the Perspectives. Key initiatives identified are:

- Establish baseline for prevalence and incidence
- Measure training effectiveness and efficacy
- Create community empowered bystander intervention
- Improve timeliness and consistency of skills development
- Provide manpower authorization enhancements
- Enhance permanent funding stream
- Develop standardized strategic and internal messages
- Solidify first responder partnerships and support
- Develop field-level operating guides and standards
- Refine and standardize data collection and utilization

The final segments of the strategic plan include a roadmap, which is a visual representation of the entire plan, and a comprehensive performance indicator section of five critical areas that lead to a successful program: victimization, response, training, resource management, and operations.

2.1.5. Subject Matter Experts consulted and involved (at a Service level)

The AF has utilized civilian subject matter experts beginning with the initial Service-wide assessment in 2004 and continuing on multiple occasions to provide a research-based program and obtain critical guidance and advice in structuring a prevention program. Crucial to these

efforts, civilian subject matter experts provided a wealth of experience for:

AF SAPR Leader Summit (Nov 2008): Dr. David Lisak (Ph.D.), Ms Anne Munch (Esq.), and Ms Gail Stern (M.Ed.), delivered presentations or activities that further enlightened or educated participants about the reality of sexual assault and procedural processes on how to create a prevention-based approach.

AF Bystander Intervention Training Modules (via prime contractor AmerTechnology, San Antonio, Texas): Ms Anne Munch (Esq.), Ms Gail Stern (M.Ed.), and Mr Jeff O'Brien (M.Ed.) developed the three primary modules for the men, women, and leader bystander intervention courses and conducted the first train-the-trainer sessions in July 2009. The training modules were a longitudinal effort that originated with a national-level Symposium in March 2007 and the advice and guidance from 21 nationally recognized subject matter experts.

AF Risk Reduction Training Module (via prime contractor AmerTechnology, San Antonio Texas): Ms Gail Stern (M.Ed.) conducted the first field-level focus groups for inputs from Airmen and developed the primary draft course module outline and facilitator guide.

AF Prevalence and Incidence Survey (via prime contractor Gallup, Inc.): Dr. Dean Kilpatrick (Ph.D.), Dr. Mary Koss (Ph.D.), and Dr. David Lisak (Ph.D.) served as key advisors for the initial survey measurement question set and guidance in establishing a measurement methodology to survey internal AF members for the prevalence and incidence of sexual assault.

AF/JA Senior Trial Counsel training (August 2009): Ms Anne Munch (Esq.) provided educational segments in understanding victims, strategies, and approaches in prosecuting sexual assault crimes.

AF/JA Inter-Service Military Judge Seminar (January 2009): Dr. David Lisak (Ph.D.), Ms Claudia Bayliff (Esq.), Ms Lynn Hecht Schafran (Esq.), and Dr. Janine D'Anniballe (Ph.D.), provided advice and guidance on jury research and behavior, sexual assault in the military, victim impact, and offenders involved in the legal process for prosecuting sexual assault cases.

2.1.6. Other (Please explain)

The AF has continued to partner with DOD SAPRO and their primary contractor working the published Prevention Strategy for the future FY2010 campaign message; off-site focus groups were conducted at AF installations and the "Hurts one. Affects all" campaign message was enhanced for the upcoming year.

2.2. Please describe any plans in place at the conclusion of FY09 for Service actions slated for FY10 related to the prevention of sexual assault

2nd Annual AF SAPR Leader Summit: the AF planned and scheduled a second AF SAPR Leader Summit for November 2009 to continue efforts in educating and partnering with institutional leaders at Headquarters Air Force, major commands, and installation-level Commanders and SARCs. The projected emphasis will be on the main components of the AF prevention approach and the roles and responsibilities of each. Key focal points, beyond awareness and response portions of a prevention-based program, are community empowerment

through bystander intervention, understanding risk reduction, deterrence through effective investigative and legal actions, and building consistent strategic messages. Also projected are breakout sessions where each leader attending will experience the bystander intervention training module for leaders.

Annual SAPR strategic off-site working group to assess status and accomplishments of strategic plan is projected for March/April 2010. The multi-disciplinary team will meet for a three-day session to determine which initiatives have been completed, identify any gaps in strategic processes, and develop/align new initiatives.

In addition to completing initiatives identified elsewhere in this report, the AF will continue executing other initiatives identified in the current SAPR Strategic Plan:

Improve timeliness & consistency of skills development: Developing skills to eliminate sexual assaults is a long-term approach that affects how individuals act and behave in specific circumstances, and is not a viable candidate for just-in-time training. The driving goal for developing individual skills is based on career-stream learning throughout a member's formal education, with an evolving taxonomy of learning objectives and samples of behaviors, relevant to the individual's current role and position. The AF will continue to review, update, and field those training modules which are part of formal education or occur at specific career points. Likewise, to meet institutional requirements for the first responder communities involved in awareness, prevention, and response, the AF will continue to develop consistent course materials that are factual, research-based, and current to meet the challenges in eradicating sexual assaults from within the Air Force. The mandatory 40-hour SARC Course is projected for a formal course review in February 2010 and will be updated as necessary to include changes that focus on a prevention-based program.

Provide manpower authorization enhancements: Air Force senior leaders established full-time SARCs at every Air Force installation with more than 1,000 members assigned in 2005. Due to evolving and emerging mission requirements, updated manpower authorizations are necessary to provide full-spectrum capability for the SAPR Program. Problems noted with the existing structure surface when executing a 24/7/365 capability: considering that the majority of SARCs are civilian and in one-deep positions, difficulties occur when establishing the anytime/anywhere capability required of the SARC program. Fielding an alternate capability remains a burden on installations to have appropriately graded and trained members available. The administrative assistants assigned to the program cannot be used per OPM classification guidelines and rules to fill in during SARC absences—too much grade and responsibility disparity between the grade levels. The priority of manpower authorizations that will be focused on during FY10 include addition 23 dedicated AFOSI agents and 1 fulltime trainer, 6 additional members to Air Education and Training Command, upgrading administrative assistants to a Specialist position (Policy) while simultaneously increasing original manpower set to full 199 (only 178 put in place) identified in Feb 2005.

3. Response Initiatives, Capabilities, and Challenges

3.1. Please describe the policies, procedures, and initiatives implemented or advanced during FY09 to respond to or improve the response to allegations of sexual assault

AF SAPR Program Office: Initiated enhanced permanent funding stream through FY10-15 in FY09. Beginning in FY10, all expenditures associated with the SAPR Program will be coded against specific SAPR program element codes (PEC) for the active duty, Air National Guard, and

Air Force Reserve. Prior to FY10, first responder functional community support for the SAPR Program had been at the expense of other internal priorities that were used to justify existing funding baselines. The new funding approach used incorporates a comprehensive Total Force and functional community methodology, and includes standardized non-civ pay operating budgets for the Air Staff functional communities, major commands, and installations; direct funding support to the Air National Guard and Air Force Reserve; and, manpower costs for providing full-time members. As of July 2009, all dedicated transfers are programmed for the destination recipients (non-civ pay budgets) starting in FY10 and existing manpower authorizations will be funded by the SAPR PEC. Continued action is required throughout the FYDP to ensure requirements are valid and identified in the annual budget POM processes.

The AF internally staffed a decision package to create an additional 23 fulltime AF Office of Special Investigations (AFOSI) agents dedicated and trained specifically to investigate cases of sexual assault; the decision package also establishes a fulltime trainer, with experience in sexual assault cases, at the Federal Law Enforcement Training Center for AFOSI agents. Estimated completion date is 1 October 2010 (first quarter, FY2011).

AFOSI and Air Force Security Forces revised the “AFOSI and SF Investigative Matrix” to AFI 71-101V1, *Criminal Investigations*. The revised matrix updates the prior (1999) investigative matrix by including delineated responsibilities for investigating the 18 sub-offenses associated with the new UCMJ Article 120, Rape, sexual assault and other sexual misconduct. This revised matrix clarifies responsibility for handling sexual offense matters and, thereby, improves the Air Force’s overall criminal investigative response to such offenses.

3.2. Steps taken to publicize reporting options or encourage the reporting of sexual assault by Service members, including but not limited to:

3.2.1. The number of personnel trained to be “first responders” to sexual assaults (including criminal investigators, law enforcement, medical personnel, judge advocates, VAs, SARCs, and chaplains)

SARC-Trained First Responders: Number of personnel trained by the MAJCOM SARC, Base level SARC, or VAs that fall within one of the First Responder groups. First Responder Groups for data gathering purposes are: VA, OSI, SF, SG, JA, and Chaplains (HC). A First Responder is considered trained when one of the above mentioned SARC/VA personnel brief on Sexual Assault Policy to include DoD, Air Force, and local level policy, DoD Confidentiality Policy and limitations or additional areas as requested/defined in the DODI as first responder tasks. SARCs trained a total of 20,588 members that included: 3,734 VA refresher/new; 1,201 AFOSI; 8,403 Security Force; 5,074 medical; 941 legal; and 1,235 Chaplain and staff.

Functional-Trained First Responder:

Chaplain Training: During FY09, the Air Force Chaplain Corps provided functional-specific SAPR training to Chaplain Corps personnel. Chaplain assistants are not first responders; however, the Chaplain Corps provides this training to them as well so the assistants may provide greater support to chaplains while performing their roles. First-responder initial training was provided to 90 new chaplains at the Basic Chaplain Course (30 training slots at three courses), and 120 chaplain assistants at the Chaplain Assistant Course (30 training slots at four courses). Refresher training was provided to over 1,970 active duty, Air National Guard

and Air Force Reserve Chaplain Corps personnel on the Air Force Chaplain Corps website. Chaplain Corps sexual assault training focuses on the significance of sexual assault in context of cultural and religious differences that affect individual responses to sexual assault; counseling practices that provide more sensitive approaches to victims; and creating worship environments that are sensitive to victims of sexual assault. Specific levels of training include counseling skill-building that understands the relevance of rape myths and how to effectively build rapport with victims; developing an understanding of the violent nature of sexual assault as a crime while preparing families for the psychological and physical symptomology a victim experiences; and the role of confidentiality in counseling victims from multiple cultural, religious, and theological perspectives.

AFOSI: Air Force Office of Special Investigations

- AFOSI - Basic Special Investigations Course (BSIC): This is a seven-week course taught at the Federal Law Enforcement Training Center (FLETC) for new agents. Most of AFOSI's sex offense investigations training is taught in five blocks of instruction in the AFOSI BSIC. Over 30 hours of classroom and practical exercises training is given in these five blocks of instruction that specifically relate to conducting sex offense investigations. 229 agents were trained in FY 09.
- AFOSI Advanced General Crimes Investigations Courses (AGCIC): This is a 2-week course taught at FLETC. The AGCIC encompasses a wide variety of topics relating to criminal investigations including: interviewing, photography, crime scene processing, and sexual assault investigations (victim sensitivity, handling reports with inconsistencies, etc.). The target audience for the AGCIC is agents in supervisory positions. Agents attending AGCIC have at least two years of field investigative experience before attending the course. 35 agents were trained during FY 09.
- AFOSI Investigative Sexual Assault Response Training Refresher Course: This is an on-line web-based refresher training course brought on-line in FY08. It is designed to fulfill the DoD requirement for periodic refresher training related to sexual assaults. Topics covered in the self-paced course include: sexual assault response policies, victimology, understanding sex offenders, crime scene management, interview techniques, investigating difficult cases, recantation and false information, working with Victim Advocates (VA) and Sexual Assault Response Coordinators (SARCs). All AFOSI special agents are required to complete this course annually. Course completion is centrally tracked via the AFOSI Learning Management System (LMS). 1999 AFOSI agents completed this course in FY09.
- AFOSI and the 12th Air Force Judge Advocate's Office partnered to conduct the second annual Major Investigations Workshop. This workshop bring together about 50 AFOSI agents and military justice attorneys from USAF installations to foster improved working relationships between AFOSI and JA at the installation level. Article 120 offenses are specifically addressed in one of the block of instruction. The resulting discussion and profession cross-feed pertaining to investigating and prosecuting sexual assault cases is a valuable part of the workshop. Attendees leave the workshop with a fuller appreciation for the other professions challenges and perspective for handling sexual assault matters. Student critiques from these workshops praise the cross-agency understanding gained from attending the training.

AF/SG: Air Force Surgeon General

Medical service provided first responder training in support of the SAPR Program to 776 healthcare providers throughout FY09.

AF/JA: The Judge Advocate General's (JAG) Corps Educational Efforts: Department of Defense Instruction 6495.02 (DoDI) specifies training requirements for JAGs in two areas: (1) training requirements for all JAGs; and (2) additional requirements for trial counsel.

From 1 October 2008 to 30 September 2009, judge advocates and paralegals received training in a number of different venues. The main training effort was conducted through The Judge Advocate General's School (TJAGS) at Maxwell Air Force Base, Alabama. During this time period, TJAGS conducted training as follows on both sets of requirements identified in the DoDI, as specified for each course below:

- The Judge Advocate Staff Officer Course (JASOC), held three times every fiscal year, is designed to introduce new judge advocates to the career and The Judge Advocate General's Corps. One hundred and fifty judge advocates received training covering all DoDI-specified topics for judge advocates and trial counsel.
- The Trial and Defense Advocacy Course (TDAC) provides judge advocates with the opportunity to develop their trial advocacy skills through practical demonstrations and moot exercises. Experts are brought from both within and outside the DOD to teach how to overcome the challenges of a sexual assault case, including such topics as addressing the voluntarily-intoxicated victim and cross-examining an accused. The two week course culminates in a moot court regarding sexual assault. Seventy-three judge advocates received training covering DoDI-specified topics for judge advocates and trial counsel.
- The Military Justice Administration Course (MJAC) provides training in the management of the base legal office military justice system to those judge advocates and paralegals who are currently or soon will be either the chief of military justice or the noncommissioned officer in charge of military justice. Eighty-one judge advocates and paralegals received training covering DoDI-specified topics for judge advocates and trial counsel.
- The Staff Judge Advocate Course (SJAC) course provides both a refresher course in military law and a study of Air Force leadership principles for judge advocates recently, or about to be, assigned to staff judge advocate positions. Fifty-six new SJAs and deputy SJAs received training covering tasks for judge advocates and, although their duties do not include serving as trial counsel, this training also addressed DoDI-specified topics related to sexual assault cases.
- The Defense Orientation Course (DOC) is taught twice annually, and is designed to introduce new Area Defense Counsel (ADC) to the practical aspects of day-to-day defense counsel duties. The course was first taught at the school in 2007. The course focuses on advising clients in common defense scenarios, defending clients at courts-martial and working with commanders and the legal office. The course hosted 67 judge advocates.

- The Law Office Management Course (LOMC) provides base law office Superintendents and noncommissioned officers in charge with information on recent developments having an impact on management of the legal services function of a legal office. Fifty senior paralegals received training covering DoDI-specified topics for judge advocates and trial counsel to assist them in supporting sexual assault cases.
- The Reserve Forces Judge Advocate Course (RFJAC) provides experienced Reserve and Air National Guard judge advocates with sufficient update information on recent developments in military law to ensure their ability to function effectively, both in their normal reserve duties and in the event of their emergency call to active duty. One hundred and thirty-seven judge advocates and paralegals received training covering DoDI-specified topics for judge advocates and trial counsel.
- The Annual Survey of the Law (ASOL) provides experienced Air Reserve Component (ARC) judge advocates and paralegals with the most up-to-date information on recent developments in military law issues. Four hundred and sixty-nine judge advocates and paralegals received training covering DoDI-specified topics for judge advocates and trial counsel.
- The Trial Advocacy Conferences (TACs) were held in CONUS, Europe, and the Pacific during the time period. The TACs provided practicing trial and defense counsel updates on evolving aspects of military trial practice, practical lessons on securing and using evidence and experts and courtroom skills practice with immediate feedback. Students learned from experienced litigators, heard from military judges and senior leaders, and networked with other counsel. Students conducted exercises using a sexual assault case. Over 246 judge advocates and paralegals received training covering DoDI-specified topics for judge advocates and trial counsel.
- In FY 2009 the JAG School hosted several webcasts that focused on military justice issues. Topics included a military judge's perspective, JA-AFOSI working relationships, and an Article 120, UCMJ update. The military judge webcast was viewed by 208 attorneys and paralegals. The JA-AFOSI webcast was viewed by 560 attorneys, paralegals, and OSI agents. The Article 120 class was viewed by 399 attorneys and paralegals.
- The JAG School has also created several learning centers on CAPSIL that have a focus on SA training. These e-learning areas specifically focused on the requirements for SA training outlined in the DoDI.
- In addition to formal training opportunities through TJAGS, training on sexual assault related topics was conducted in a number of additional venues:
 - KEYSTONE is the annual worldwide Judge Advocate General's leadership conference with over 700 civilian, active duty, Reserve and Air National Guard judge advocates, attorneys, paralegals and support personnel from The Judge Advocate General's Corps in attendance. They received training covering DoDI-

specified topics for judge advocates and trial counsel at the conference.

- Sexual assault was also a training topic at Major Command, Numbered Air Force and base level functions. At some installations the SARC and or the Staff Judge Advocate sponsored training for first responders, including judge advocates. For example, training seminars that featured Ms Anne Munch, a nationally recognized expert in the investigation and prosecution of sexual assault cases were conducted at RAF Alconbury, RAF Lakenheath, RAF Mildenhall, and RAF Croughton, and Malmstrom, US Air Force Academy, Offutt, and Randolph Air Force Bases in FY09. Attendees included judge advocates from those and surrounding bases, investigators from the Office of Special Investigations and local law enforcement personnel and prosecutors. Ms Munch is also scheduled to present at The Judge Advocate General's Corps' worldwide conference in Oct 2009. Air Force judge advocates attended Air Force Office of Special Investigations sponsored Sexual Assault training conducted by the Armed Forces Institute of Pathology
- The Senior Trial Counsel program, centrally managed in the Government Trial and Appellate Counsel Division, Air Force Legal Operations Agency (AFLOA/JAJG) and in existence for over 25 years, provides a cadre of experienced trial counsel whose duty is represent the United States in the more complex cases, provide training to less experienced trial counsel and serve as a resource for consultation on trial and charging issues. The senior trial counsel received extensive training in prosecuting sexual assault cases this year. At their annual conference at Bolling AFB in October, two full days were devoted to specific training in this area. This focused training included a full day of lecture and discussion from Ms. Anne Munch, a nationally recognized expert in the investigation and prosecution of sexual assault cases, a half day of instruction from mental health professionals from Walter Reed Medical Center, and a half day instruction from two experts at the United States Army Criminal Investigative Laboratory. In addition, senior trial counsel were able to attend other conferences focused on sexual assault prosecutions. This training included a sexual assault conference in Battle Creek, Michigan produced by the Michigan Domestic Violence Prevention and Treatment Board, an Advanced Domestic Violence and Sexual Assault Course in Orlando, Florida produced by the National Institute of Crime Prevention, Offender-Based Prosecution training in Orlando, Florida produced by the Army JAG Corps, Prosecuting Sexual Assaults in Plano, Texas produced by the Army JAG Corps, and Sexual Assault Prosecution Training in Denver, Colorado, produced by the National Institute for Trial Advocacy.
- Last winter the Services jointly reviewed trial counsel training and recommended to DoD that training standards be revised to ensure that the training requirements reflect the needs of judge advocates who are responsible for addressing issues and procedures applicable to sexual assault cases, to include those involved in the trial by courts-martial of sexual assault cases. The services recommended that DoD fund specialized training program for sexual assault cases that relies on the use of joint resources from the OTJAG communities and expert instructors from the civilian and military communities.

- DoD SAPRO office provided \$2.3M in FY09 funds to the Services in late June 2009 to fund this. As the lead for distribution and execution of the funding, we distributed \$350,000 to each service for training support and retain the remainder to fund joint training. The Air Force sent judge advocates, paralegals and VWAP personnel to training opportunities at 35th Annual North American Victim Assistance Conference, Enforcing Victims' Rights Conference, the Advanced Domestic Violence and Sexual Assault course and the US Army VWAP training Course. After reviewing feasible joint training options, the Services concluded that, under the circumstances, contracting for on-line training for trial counsel was the most practicable and would maximize the opportunity to practice and gain skills and experience in a risk-free environment. The services identified a 22-module training program that will provide trial counsel with the information and practice necessary to prepare to prosecute sexual assault cases.
- SIMmersion has been contracted to develop *The Sexual Assault Trial Counsel Electronic Training System* to provide e-learning and simulated training for each of the 22 modules. This system will support and enhance the current DoD and JAG sexual assault training and response objectives. SIMmersion will use its proprietary PeopleSim™ Technology to custom build these modules to meet the training needs of JAG offices. In order to allow trainees to hone the skills necessary to prosecute a sexual assault case, a frequently encountered scenario has been created. Trainees will be given the facts of the case as they would typically be presented, including pictures and sworn statements; then, the trainees will proceed through each of the training modules to gain knowledge and experience pertaining to each step in the process. Each module will be self-paced and independent of the others; this will allow trainees to spend as much time as necessary mastering the skills needed to effectively prosecute a sexual assault case.
- This self-paced training system will provide trial counsel with training and experience prior to being assigned a sexual assault case. The system will also function as refresher training for trial counsel who have been out of the courtroom for an extended period of time. SIMmersion's use of video and voice recognition technology will allow the user to become immersed in a realistic interpersonal exchange, and their expertise in computerized role-play training and interactive training will guarantee accelerated learning. The modules will address Collaborating with Investigators to Get What You Need; Advising Commanders; Case Strategy: Case in Chief; Understanding and Working with Victims; Understanding Offenders; Strategies for the Article 32 Investigation; Pretrial Motions; Voir Dire; Structuring an Opening Statement; Direct of the Victim; Medical Evidence; DNA; Presenting Demonstrative Evidence; Understanding and Using Electronic Evidence; Toxicology; Expert on Counterintuitive Behavior/Memory and Perception of Traumatic Events; Cross of the Accused; Structuring a Closing and Rebuttal Argument; Challenging Cases; Arguing Sentencing; Ethics; Advising and Mentoring Trial Counsel; and Article 120. Each module will include a simulation containing 500 video recorded character responses and up to 30 e-learning screens. All other modules will include up to 15 e-learning screens, a 10 question comprehension

check and a total of three (3) hours of video lectures.

- To fund this contract, the Air Force applied the retained DoD funds, the remainder of the AF share of the training funds and The Air Force Judge Advocate General funded the remainder from Air Force operational and maintenance funds.
- As an initiative, the Air Force hosted Sexual Assault Training for Military Judges at the annual Interservice Military Judges Seminar conducted at the Air Force Judge Advocate General's School in early 2009. Using funding from the Air Force Sexual Assault Prevention and Response Program manager and The Air Force Judge Advocate General, the Air Force contracted with the National Judicial Education Program to develop and provide the training. The nationally recognized faculty, led by Ms. Lynn Hecht Schafran, Esq, Director, National Judicial Education Program; included Ms. Claudia Bayliff, Esq, Consulting Project Attorney, National Judicial Education Program; Dr. Janine D'Anniballe, Executive Director, Moving to End Sexual Assault, Boulder, CO; and Dr. David Lisak, Forensic Consultant and Associate Professor, University of Massachusetts-Boston. The faculty presented on topics including myths and realities of sex offenders:, victim impact and the neurobiology of trauma, special considerations on sexual assault in the military, juror decision-making in sexual assault cases, and UCMJ sexual assault law and evidentiary issues to over 100 military judges from the uniformed services.

The Air Force Inspector General, The Judge Advocate General, and the AFOSI Commander chartered a working group to review Air Force criminal justice processes starting with the allegation and concluding with the final military justice actions. The review found inefficiencies in the current process where AFOSI Special Agents investigate a case, produce a report of investigation (ROI), and pass the case to commanders and the Staff Judge Advocate, who then begin their work.

The Investigations to Action Working Group, along with input from both the JA and AFOSI field, developed recommendations to better integrate the investigation and legal process to yield a more efficient criminal justice process. Many of the recommendations were being used in the field but had never been institutionalized. These recommendations were approved and directed to be implemented. Highlights include:

AF/JA

- Identify potential offenses and contribute to investigative plan
- Assign an investigative support team during the initial phases of the investigation
- Attend AFOSI case review meetings
- Complete proof analysis (initial, monthly and final)
- Initial: concurrent with the approval of the Investigative Plan
- Update at least monthly
- Final: contemporaneous with publication of the Report of Investigation (ROI)
- Prefer charges within 30 days of completion of the ROI
- Explore further utilization of paralegals
- Ensure early coordination with the Department of Justice on cases falling under the Military Extraterritorial Jurisdiction Act

AFOSI

- Call JA on case initiation
- Coordinate with JA on subject interviews
- Attend JA military justice meetings as appropriate
- Facilitate JA access to AFOSI investigative data (1168s, evidence) throughout the investigation
- Conduct a joint review of the case upon completion to identify issues and lessons learned

The goal is to improve integration and help ensure thorough, case-ready ROIs, more robust litigation preparation, and quicker resolution of military justice cases.

To enhance data base accuracy, The Judge Advocate General and the Commander, AFOSI, agreed to provide for data sharing between the AFOSI database, Investigative Information Management System (I2MS) and the JA database, Automated Military Justice Analysis and Management System (AMJAMS). Changes necessary to exchange data are being implemented.

3.2.2. Efforts to provide trained personnel, supplies, and transportation to deployed units to provide appropriate and timely response to reported cases of sexual assault

The AF conducts sexual assault awareness and prevention training prior to members deploying. As part of this training, members are advised of reporting processes, key services, and unique circumstances for projected place of duty to enable a safer environment. Throughout FY09, 59,888 members attended mandatory pre-deployment training.

AFOSI has agents assigned to most Air Force deployed locations. In addition, AFOSI has an intermediate, squadron level unit in Kuwait to provide surge support if needed. During FY09, AFOSI deployed field units did not report any instances where investigative support was not readily available to respond to or investigate sexual offenses.

3.2.3. Information regarding supply inventory results, as well as the location/availability of supplies, trained personnel, and transportation resources to support deployed units in responding to cases of sexual assault

The AF maintained 7 primary locations in the AOR (CAI) with full-time SARCs, who are also responsible for geographically separated units attached to the respective main-operating base. All deployable SARCs are pre-designated for rotation and prepared prior to departure by an additional SARC 3-day Course at Air University; SARCs in the AOR (CAI) mirror home-station operations as much as possible so all support and activities are similar for the support population.

AFOSI units in deployed locations have consistently reported having the needed supplies to conduct sexual offense investigations.

A specific improvement AFOSI fielded in FY09 included a new centralized crime scene supplies and equipment replenishment system. The new system provides a web-based catalog and order process for over 170 supply and equipment items required for processing crime scenes. Supply items include Sexual Assault Forensic Examination (SAFE) kits and other essential supplies for handling sexual offenses. The system, operated by a DoD contractor,

replaces a antiquated, decentralized crime scene supply process that relied on having supply catalogs from numerous crime supply companies at each of AFOSI (150+) field units. The former system also involved the need to local order and fund needed supplies. The new central ordering and funding process saves time, ensure standardization of field supply and equipment items, and removes funding challenges from consideration in delivering needed supplies to operational field units. The new system is also utilized for ordering supplies use to train new agents at the USAF Special Investigations Academy. This ensures new agents are trained with the same supplies and equipment they will encounter once they arrive at their field units.

3.2.4. Information regarding the number of victims whose care was hindered due to lack of available Sexual Assault Forensic Examination (SAFE) kits or other needed supplies

Throughout all primary AF installations and responsible areas within the CENTCOM AOR, AFOSI and AF/SG have ensured a redundant supply of SAFEs to ensure victim care is not hindered by unavailability.

3.2.5. Information regarding the number of victims whose care was hindered due to the lack of timely access to appropriate laboratory testing resources

HQ AFOSI has received no reports of any field units regarding the inability to obtain timely access to, or results from, appropriate laboratories.

The Air Force continues to benefit from a 2004 initiative, championed by the VCSAF at the time, to (AF) fund 10 crime laboratory analysts at the U.S. Army Criminal Investigations Laboratory (USACIL) to expedite the processing of evidence in Air Force sexual assault investigations. In 2004, the processing time for DNA evidence in sexual offense cases at USACIL was approximately six months. Following the AF funding of the 10 analysts, and implementations of provisions of an MOA between the Air Force and the Army, the processing time has been reduced to about 30-40 days. This processing time for routine sexual offense evidence is, according to research conducted by AFOSI, the best for any criminal investigative agency in the nation.

3.2.6. Other (Please explain)

SARC-trained Non-First Responders: Number of personnel trained by the MAJCOM SARC, Base level SARC, or VAs that do not fall within one of the First Responder groups. Training may consist of any number of awareness and/or prevention topics, not to include mandatory annual refresher training, but may include initial training for new Air Force members. For FY09, SARCs provided training to 91,627 members attending first-duty station/newcomer briefs and initial base-level military education; 9,662 Commanders and First Sergeants; 45,134 members attending "Commander Calls"; 100,040 members involved with on-base organizations or groups; and 10,112 individuals who are part of off-base organizations.

SARC-Conducted Annual Training Sessions/attendees: Periodic refresher – AF SARCs trained 296,520 members at 9,165 training sessions.

The AF SAPR Program Manager provided training for 320 newly appointed Group Commanders and 140 Wing Commanders at the respective Air University development course.

3.3. Please discuss Unrestricted and Restricted Reporting process challenges encountered, as well as the solutions your Service developed and implemented, during the past fiscal year within the context of:

3.3.1. Joint environments

In FY09, the AF along with other military services began instituting “Joint Bases” per Base Realignment and Closure (BRAC) requirements for identified locations throughout the Continental United States; at these affected locations, the military services incorporated SAPR service-specific programs following the guidance provided by DOD in the form of “Joint Basing Memorandum of Agreement” templates to ensure continued care and availability of services. Additional training and information dissemination remains essential to ensure members at these locations understand and recognize who they see for care/making reports.

3.3.2. Combat Areas of Interest

As a result of mission change in the AF CAI, SAPR added a support location that required sourcing and positioning another fulltime SARC to provide the same services Airmen know and understand from home-station environments. Using the same structure and processes in place within the AOR, the new location was established with no degradation or loss of support capability.

3.3.3. Tracking victim services

In FY09, DOD SAPRO added new data collection areas in the data matrix that provides for a broader spectrum of tracking the services offered to victims of sexual assault; prior requirements were based on the actions taken for military members alone. The new reporting requirements provide an additional level of information for AF leaders to understand the level of support provided to military members for both restricted and unrestricted reports, as well as, all the referral support provided to non-military members associated with the installation.

3.3.4. Restricted Reporting in any environment

Continued education about eligibility for reporting options and requirements ensures AF members understand the difference between restricted and unrestricted; AF SARCs capitalized on many different forums and opportunities to continue marketing the reporting options such as Commander Calls and newcomer orientations (noted in section 3.2.6.).

3.3.5. Other (Please explain)

SARCs located in States that have mandatory reporting laws for violent crime have had to establish extensive Memorandum of Agreement/Understanding with local authorities, when medical care or treatment is required by off-base providers, to ensure AF victims can receive care while still preserving a restricted reporting option consistent with DOD policy.

4. Program Oversight Activities

4.1. Please provide a description of how your Service executes its oversight of the SAPR program. Please include a synopsis of the formal processes, participants, and data collection activities that support oversight of the program

A formal Inspector General (IG) checklist was incorporated as part of AFI 36-6001, *Sexual Assault Prevention and Response (SAPR) Program*. The checklist is mandatory for all support

function inspections and is accomplished by the MAJCOM conducting the inspection. All results become part of “The Inspector General” (TIG) program results.

4.2. Please describe the oversight activities that have taken place during the past fiscal year with the methods or approaches you use to perform oversight, including but not limited to the documentation and outcomes of:

4.2.1. Participation in DoD Policy Assistance Team Visits

The AF SAPR Program Manager served as co-team member with DOD SAPRO staff to conduct a Policy Assistance Team (PAT) visit for SAPR training during FY09 at Lackland AFB, Texas. The DOD PAT evaluated Accession 1 training for members attending basic military training; and, Accession 2 training for members attending formal technical training.

All DOD PAT visits revealed compliance with established DODI 6495.02, Enclosure 6, training requirements.

The Assistant Deputy for Force Management Integration (SAF/MRM) served as a team member with DoD SAPRO for the evaluation of the United States Air Force Academy, Colorado Springs, CO during FY09.

4.2.2. Program management reviews

“MAJCOMS: - AFI 90-20, *Inspector General Activities*, directs AF IG teams to inspect SAPR program requirements in accordance with AFI 36-6001 during Compliance Inspections (CI). AF units are inspected at an interval not to exceed 60 months.”

AFOSI:

- Conducts internal reviews of all sexual offense matters to ensure allegations are appropriately handled or referred. These reviews are conducted annually.
- Also, in June 2009, the Commander, AFOSI, designated the handling of sexual assault case as a Command Special Interest Item to be assessed during HQ AFOSI/IG No-notice Random Inspections (NNRIs) of AFOSI field units. HQ AFOSI/IG conducts between 24 and 36 NNRIs per year. During NNRIs, inspectors assess whether sexual assault reports were investigated and documented in accordance with AFOSI policies.
- In addition, HQ AFOSI continues to conduct random reviews of about 10 percent of all open criminal investigations (~200 per year). These comprehensive reviews, that include sexual offense investigations, help ensure field units pursue investigations in accordance with AFOSI policies.

4.2.3. Available results or common findings and recommendations of Inspector General (IG) inspections of the program

Compliance Inspections conducted since June 2009 have generally found that AF wing-level units and AFOSI field units are complying with SAPR program policy (AFI 36-6001) and AFOSI policies for investigating and documenting sexual assault incidents.

4.2.4. Steps taken to address recommendations from past external oversight activities, such as those performed by Government Accountability Office (GAO) or DoD/Service IG

Specific to the recommendations from the August 2008 GAO report titled, “DOD’s and the Coast Guard’s Sexual Assault Prevention and Response Programs Face Implementation and

Oversight Challenges:

- Hosted AF SAPR Leadership Summit (previously identified in this report) to emphasize to all levels of command support for the program; followed up with dual signature letter from Secretary and Chief of Staff of the Air Force (November 2008).
- Developed a multi-disciplinary SAPR Strategic Plan guide continued program implementation and evaluate program effectiveness that includes long-term goals, objectives, and milestones; performance goals; strategies to be used to accomplish goals; and criteria for measuring progress.
- Established the AF SAPR program in the Program Objective Memorandum (POM), beginning in FY10 with a baseline for military member pay, civilian pay, and operating budgets for all locations, including the Headquarters, MAJCOMs, and installations.

4.2.5. Other (Please explain)

The AF SAPR Program Manager also served as co-team member, and evaluated for delivery and content, for newly appointed senior field commanders (Wing, Vice Wing, and Group Commanders) FY09. The AF conducts five training sessions annually for Wing/Vice Wing and Group Commanders; the Wing/Vice Wing Commander Course includes approximately 30 each, and the Group Commander Course approximately 70 each. The courses are conducted at Air University, Maxwell AFB, Alabama.

5. Research and Data Collection Activities

5.1. Please describe the research and data collection activities that have taken place within your Service during the past fiscal year. Please do not include the activities you have already discussed in the “Program Oversight Activities” section. The activities you discuss in this section should include but not be limited to:

5.1.1. The initiation or execution of any survey for the purpose of informing or improving Service SAPR programming, including highlights of available findings

The AF has two major initiatives, as described in 5.1.2., that involve the use of surveys as part of comprehensive studies that will provide additional feedback and information for senior leaders to make appropriate and timely enhancements for the AF SAPR Policy. Both of these initiatives have begun and the AF expects results in FY10.

5.1.2. The initiation or execution of any empirical research or evaluation project to inform or improve Service SAPR programming, including highlights of available findings

Prevalence and Incidence Survey: Gallup, Inc. has been awarded a contract to conduct a year-long cross-sectional study for the prevalence and incidence of sexual assault in the Air Force. The purpose of the study is to provide a baseline of statistical occurrence of sexual assault and analysis for the probability of occurrence. The results from the study will provide a baseline for occurrence of sexual assault, quantify under-reporting, and enable leaders to implement effective policies. The team responsible for conducting the study brings a wealth of experience with subject matter experts who are widely known for their work with sexual assault issues and valid measurement. The study will elicit responses from randomly selected military populations with a 20-25 item measure and provide analysis within large-scale parameters for occurrence of unwanted sexual contact, climate in which it occurs and/or reported (command support), and environment (geographical location). Estimated completion date is June 2010.

Training Effectiveness Survey: the AF awarded a contract to Social Solutions Incorporated

(SSI) of Silver Springs, Maryland to conduct a study of the effectiveness of SAPR related training. There are four specific instances of measurement to take place for SAPR training: these include initial accessions, technical training, Squadron Commander/First Sergeant, and bystander intervention training courses. SSI is developing measurement devices that will be provided pre-training, immediately following the session post-training, and at 90-day post-training intervals. Estimated completion date: August 2010.

5.1.3. Formation of active partnerships with other Federal agencies, non-Federal agencies, and/or organizations for the purpose of research and evaluation in conjunction with SAPR program activities

The AF remains an active participant with DOD SAPRO Sexual Assault Advisory Committee (SAAC) subcommittees for policy, training, and outreach; as well, AF representatives are engaged with data collection working groups and a SAF/MRM member served as the team lead for the future planning of the sexual assault database system.

5.1.4. Other (Please explain)

Through active government contracts, the AF has continued to garner the advice and guidance of many national experts as identified in 2.1.5.; each of these valuable SMEs continue to provide a wealth of knowledge, based on many years experience, in how to effectively measure specific elements of the AF SAPR program.

6. Discussion and Lessons Learned

6.1. Please provide a summary discussion of the progress made and challenges confronted by your Service in FY09, including but not limited to:

6.1.1. Lessons learned in FY09

Transitioning to a primary prevention-based approach requires extensive analysis of the internal culture and environment of Airmen, and subsequently developing appropriate strategies to achieve objectives and goals; the DOD SAPRO Prevention Strategy and other available resources such as those from the California Coalition Against Sexual Assault (CALCASA), Pennsylvania Coalition Against Rape (PCAR), Center for Disease Control (CDC), and others, provided benchmark guidelines for structuring effective plans and approaches to achieve primary prevention.

Considerable focus and efforts of the AF SAPR Program during FY09 were to develop a benchmark plan and subsequent actions to accomplish; each of these has been articulated in the AF SAPR strategic plan and work continues on the primary initiatives. One of the more significant aspects is to establish a baseline of true statistical occurrence of sexual assault to enable effective analysis of known reports that will provide a starting point for measuring program success in achieving the AF's overall goal of eliminating sexual assault. Without these AF-specific data points, there is no effective way to relate value or significance to the number of reports actually received.

6.1.2. Status of FY09 plans described in last year's report

The AF SAPR Program Office identified four major areas to accomplish and successfully

resolved or is continuing efforts: prevalence/incidence survey, training effectiveness survey, manpower/authorizations, and permanent funding stream (all previously identified in this report).

6.1.3. Plans for FY10, may include discussion of the following:

- **Restricted Reporting**
- **Advocacy**
- **Prevention and training**
- **Research and surveys**
- **Oversight activities**
- **Healthcare/forensic exams**
- **Investigative**
- **Legal**
- **Chaplain**
- **Mental health**
- **Counseling**

AFOSI: Pertaining to the portion of the FY08 report that stated: “As well, AFOSI is analyzing the feasibility and effectiveness of establishing a mandatory requirement for all subject interviews to be conducted using audio and video recording for FY09; results of this may potentially lead to shorter judicial processes and possibly limit the secondary trauma experienced by many victims during the legal processes.” Update: AFOSI approved beginning mandatory recording of suspect interviews. The new policy began implementation in Oct 09. An update will be provided in the FY10 report.

AF SAPR Program:

Continue development of field-level operating guides and standards: to enhance the care and support to victims, as well as other functional aspects of the program, and enable consistent and standardized implementation of policies and directives, a Standards Working Group has been established. The working group is comprised of MAJCOM and installation-level SARCs who are developing comprehensive guides in the following categories: program administration, training, response and prevention. The draft of the first standard, Victim Advocate Selection, Training and Certification, is complete and awaiting formal review. The Standards Working Group anticipates finalized drafts of the following six standards throughout FY10: Case Definitions, Developing MOUs, Intake Documentation, Case Transfer Procedures, First Responder Training, and Transporting Victims.

Develop periodic, standardized reporting of SAPR Strategic Plan Performance Indicators: as identified in the strategic plan, there are numerous factors, or “Performance Indicators”, that are relevant to determine the health of the SAPR Program management and a direct correlation of the ability to provide the full spectrum of SAPR services (including prevention measures). Specific indicators, that are associated with measurement criteria, are detailed in five major categories:

- Victimization (pending Prevalence/Incidence Survey due Jun 2010)
 - Sexual assault rate
 - Sexual assault reporting rate
- Response
 - MOUs (if required)
 - Referral Timeliness
 - Victim Experience
- Training
 - Annual Training
 - Initial First Responder Training
 - Periodic First Responder Training
- Resource Management
 - Budget execution rate
 - Manpower authorization fill rate
 - Manpower vacancy rate
- Operations
 - Web-based “community of practice” utilization rate
 - Responder satisfaction rate
 - Civilian SARC turnover rate
 - Military SARC turnover rate

6.1.4. Other (Please explain)

The AF SAPR Program Manager has projected another off-site working group in Mar-Apr 2010 to conduct an annual review of the published AF SAPR strategic plan; key elements of this review will be to determine milestone status of the top 10 initiatives, working group review of the mission and vision, and editing of the plan as necessary to ensure value as a continuing vector for the AF SAPR Program.

Fiscal Year (FY) 2009 Sexual Assault Statistical Report Data Call for Sexual Assaults in the Military: Air Force

1. Analytic Discussion

1.1 Please provide an analytic discussion of your Service's Statistical Report. This section should include such information as:

- **Notable changes in the data since fiscal year 2008 (in percents)**
- **Possible explanations for changes, or lack of change, in data**
- **Implications the data may have for programmatic planning, oversight, and/or research**
- **Others (Please explain)**

The AF initiated 300 investigations for unrestricted reports of sexual assault during FY09 as compared to 387 in FY08 and 369 in FY07. The number of unrestricted reports in FY09 is the lowest number in the last three fiscal years. The FY09 reports included 12 from the Combat Areas of Interest, two less than the 14 reported in FY08.

The total number of reports (unrestricted plus restricted reports that did not convert to unrestricted) has fluctuated over the last three fiscal years. The total for FY09 was 546, 607 for FY08 and 565 for FY07. Again FY09 is the lowest number of total reports for the last three FYs.

We have not identified any cause of or contributing factors to the drop in total reports and unrestricted reports, but we will continue to closely monitor for any continued decline. Even though it might only be a single year anomaly, we are watching for trends and will continue to look for any possible programmatic or anecdotal contributing factors. We also note that while our number of restricted reports increased from FY08 to FY09, the increased number of restricted reports corresponds considerably with an increase in the number of restricted reports involving pre-Air Force assaults (16% of victims utilizing restricted reporting indicated the sexual assaults occurred prior to entry to the Air Force; FY08 report indicated only 9.9%). The increase in the number of restricted reports could indicate that our airmen are gaining confidence in our ability to provide valuable support and care. However, we also recognize that we must always remain vigilant to the possibility that a reduction in the number of unrestricted reports could be related to a loss in confidence in the unrestricted reporting processes.

Any comparison to reports prior to FY07 is inappropriate as reporting transitioned from calendar year to fiscal year reporting for FY07. In interpreting these data, it is important to understand that these are reported assaults. Research demonstrates that most sexual assaults are not reported.

2. Unrestricted Reporting

2.1. Victim Data Discussion and Analysis. This section should include an overview of information such as:

- **Type of offenses**
- **Demographic trends**

- **Service referrals**
- **Experiences in Combat Areas of Interest**

There were 176 individuals, both service members and civilians, male and female, who reported sexual assault in the FY09 investigations completed year-to-date. There were 167 (95%) female and 9 (5%) male victims and 129 (73%) military and 47 (27%) non-military victims. Of the 172 reports by victims with known ages, the majority (130, 76%) were 24 years of age or under, with 41 (24%) between the ages of 16-19 and 89 (52%) between the ages of 20 to 24. Of the 129 military victims with known pay grades, 106 were in the grades E-1 to E-4 (82%).

2.2. Subject Data Discussion and Analysis. This section should include an overview of such information as:

- **Demographic trends**
- **Disposition trends**
- **Experiences in Combat Areas of Interest**

There were 183 subjects, that included service members, civilians, and unidentified subjects, in the FY09 investigations completed year-to-date. The vast majority of subjects (163, 89%) are male, while 8 of the subjects were female (4%) and the remainder were unknown subjects. Of the 160 subjects with known ages, the majority were under 24 years of age (88, 55%), with 12 (8%) between the ages of 18-19 and 76 (48%) between the ages of 20 to 24. Of the 150 military subjects, the majority (98, 65%) were in pay grades E-1 to E-4.

2.3. Reporting Data Discussion and Analysis. This section should include an overview of such information as:

- **Trends in descriptive information about Unrestricted Reports (e.g., did more reported incidents occur on/off installation, etc.)**
- **Investigations**
- **Experiences in Combat Areas of Interest**

Overview of Reports: The data on investigations has remained relatively consistent since FY07.

- In FY09, more than half of the allegations investigated were servicemember on servicemember (160, 53%), followed by 86 (29%) servicemember on non-servicemember, 31 (10%) unidentified subjects on servicemember, and 23 (8%) non-servicemember subjects on servicemember.
- Reported sexual assaults occurred about equally on and off the installation, with 150 (50%) occurring on base, 132 (44%) occurring on the installation and 18 (6%) occurring in multiple or not-identified locations. Of the 300 investigations, 51% (152) of the cases were reported within 72 hours and 69% (208) within 30 days of the event. Data on length of time between incident and report was unavailable in 31 cases, but in the remaining 31 cases, 9 (3%) were reported more than 12 months after the assault. Data on why the delay in reporting is not available. Slightly more than half of the reported cases (154, 51%) occurred between midnight and 0600 and 56% (167) occurred on a Friday, Saturday or Sunday.
- 168 investigations had been completed by the end of FY09. The reported number of victims does not align with the reported number of subjects as there are cases with more than one subject and/or more than one victim

Dispositions. In an early snapshot of the dispositions of the reported allegations, the data below reflects results from these completed investigations. In the 183 cases presented to commanders for action, action was precluded in 30 cases for various reasons, including that the subject was unknown, the case was unfounded, or civilian authorities exercised jurisdiction. Fifty-one cases are pending command action at the end of the reporting period. In another 75 cases command action was precluded or declined for sexual assault for various reasons—including that the commander found probable cause only for a non-sexual assault offense (46 cases), the victim declined to participate in the military justice action (14 cases) or there was insufficient evidence of any offense (15 cases). In the remaining 27 cases, commanders initiated court-martial proceedings against 20 of the subjects for sexual assault offenses or, in seven cases, initiated nonjudicial punishment proceedings against the individual under Article 15, Uniform Code of Military Justice.

3. Restricted Reporting

3.1. Victim Data Discussion. This section should include such information as:

- **Type of offenses**
- **Demographics trends**
- **Service referrals**
- **Experiences in Combat Areas of Interest**

The AF received 286 restricted reports of sexual assault during FY09, including 15 from the Combat Areas of Interest. This number of reports represents an increase of 24 (10%) restricted reports received from those in FY08. Of the 286 restricted reports, 40 (14%) changed to unrestricted reports. At the end of FY09, 246 reports remain restricted. Of the restricted reports made, 47 (16%) occurred prior to entry in the Air Force. SAFEs and/or evidence were collected in 63 of all restricted cases; the evidence is held for one year to allow sexual assault victims additional time to make a decision about whether to report to authorities for a criminal investigation. There were no reported or known instances of an examination kit being unavailable if the victim chose to have one done.

3.2. Reporting Data Discussion. This section should include such information as:

- **Trends in descriptive information about Restricted Reports (e.g., did more occur reported incidents occur on/off installation, etc.)**
- **Experiences in Combat Areas of Interest**

Victims: 264 women and 22 men filed restricted reports of sexual assault during FY09. Of the restricted reports received, 184 (64%) were service member on servicemember, 78 (27%) non-servicemember on servicemember, and 24 (9%) unidentified subject on a servicemember assaults. The grades of victims, from the highest number of reports to the lowest were E1-E4 (211, 74%), E5-E9 (38, 13%), O1-O3 (14, 5%), Cadet (19, 7%), and Unknown (2, 1%). The most significant shift in these reports occurred between grades O1-03 from FY08 reports at 8% to FY09 at 5%, and Cadet reports in FY08 at 5% to FY09 at 7%. The majority of the restricted reports indicate they occurred during the hours of 6:00 pm and midnight (132, 46%) and midnight to 6:00 am (93, 33%); the other assaults occurred between the hours of 6:00 am and 6:00 pm, or remain unknown for the actual time. There is no significant difference from FY08 to FY09 for the hours of occurrence. Other demographic data indicated highest frequency of incident days remained Unknown (79, 28%), Saturdays (53, 19%), Sundays (44, 15%), and Fridays (41, 14%); all other reports were randomly interspersed for the remaining days of the

week. Significant for FY09 for the day of the week occurrences is the large number for the Unknown category; assumption is that the large number of those who were sexually assaulted prior to entry to the Air Force and those who have been members but only now are coming forward to report an incident earlier in their career do not recall or know the actual day of the week that the assault occurred. Many of these now reporting may be a direct result of the efforts the AF has placed in enhanced awareness and education of sexual assault, establishing a system for them to come forward, and members subsequently perceiving trust in the program sufficient to finally report and get any care they may need. All restricted reports received by victims of sexual assault were in an active duty or Federal status at the time of the assault or at the time it was reported.

Overview of Reports: Generally, victims provided restricted reports 39% (111) of the time within three days of the assault; 19% (54) of the time within four to thirty days after the assault; 17% (48) within thirty-one to 365 days after assault; and 12% (34) longer than 365 days after the assault. However, 14% (39) remain unknown since the victim did not or elected not to reveal the information during the report. The largest change between these numbers occurred for those which were in the Unknown category; for FY08, these were 5% of the reports whereas for FY09, it changed to 14%. Consistently, this reinforces the suggestion that when the event was prior to entry to the AF or at some point in the members past career, they no longer remember the specifics of when it actually occurred. The restricted reports received by AF SARCs represented 275 AF, 5 USA, 5 USN, and 1 USMC victims.

Restricted reports made in the Combat Areas of Interest mirror these same demographics.

4. Service Referrals for Victims of Sexual Assault

4.1. Unrestricted Report Referral Data Discussion. This section should include such information as:

- **Summary of referral data**
- **Combat Areas of Interest referral data**
- **Discussion of any trends of interest identified in referral data**

During FY09, 933 referrals were made for victims of sexual assault to military facilities: 287 referrals were for medical treatment, 444 for counseling, and 202 for legal services. For civilian facilities, 330 total referrals were made that included 104 for medical treatment, 176 for counseling, and 50 for legal services. In the CAI, 24 referrals were made for victims of sexual assault to military facilities: 11 for medical treatment, 9 for counseling, and 4 for legal services. The total number of SAFE kits utilized in these referrals was 119 and 2 in the CAI. Numbers of referrals do not correlate directly to the number of reports or cases since an individual victim may have multiple referrals or none based on victim preference.

4.2. Restricted Report Referral Data Discussion. This section should include such information as:

- **Summary of referral data**
- **Combat Areas of Interest referral data**
- **Discussion of any trends of interest identified in referral data**

For FY09 restricted reports, 277 referrals were issued to military facilities; 95 referrals were for medical treatment and 182 for counseling. Of the 47 (16%) reports that occurred prior to entry

in the Air Force; 43 of the victims requested referral services. No referrals were made for legal services. For civilian facilities, 76 total referrals were made that included 34 for medical treatment and 42 for counseling. In the CAI, 4 referrals were made that included 2 for medical treatment and 2 for counseling at military facilities. The total number of SAFE kits utilized in these referrals was 63.

4.3. Service Referrals for Non-Military Victims Data Discussion. This section should include such information as:

- **Summary of referral data**
- **Combat Areas of Interest referral data**
- **Discussion of any trends of interest identified in referral data**

For non-military members who have an affiliation with the AF, 322 referrals were made to military facilities: 87 were for medical treatment, 168 for counseling, and 67 for legal services. Additionally, 412 referrals were made for civilian facilities and included 100 for medical treatment, 229 for counseling, and 83 for legal services. Referral services were requested for one civilian for counseling at a civilian facility. The total number of SAFE kits utilized in these referrals was 41.

Fiscal Year (FY) 2009 Sexual Assault Synopses Report Data Call for Sexual Assaults in the Military: Air Force

Executive Summary

Please provide a general overview of the synopses in the report narrative that includes highlights of significant trends or observations in the investigations. Particular trends of interest include information such as:

- Rank differences between subject/victim,
- Alcohol involvement, if known
- Uniform Code of Military Justice (UCMJ) violation investigated vs. Final disposition of subject

The data on the grade differential between subjects and victims in the resolved cases is shown below. The grades are grouped based on responsibility. Excluding unknown and civilian subjects, the vast majority of the allegations result from peer behavior, i.e., E-1 – E4 subjects E-1 – E-4 victims; E-5 – E9 alleged to have committed assaults upon E-5 – E-9 victims etc. . Seventy-two percent of the allegations were peer-based. Eighty-three percent were peer on peer or peer on higher grade.

SUBJECT GRADE	Civ	E1-E4	E5-E9	O1-O3	O4-O6
Civ Total	N/A	6	3	0	0
E1-E4 Total	24	37	11	2	0
E5-E9 Total	9	11	9	0	0
O1-O3 Total	0	0	1	2	0
O4-O6 Total	1	1	1	1	0
Unsub Total	0	8	4	0	0

As to alcohol involvement, 61% of the victims were suspected of having been drinking and 67% of the 126 subjects where alcohol usage was documented were determined to have been drinking

Victim	Yes	No
Alcohol Suspected	79	50

Subject	Yes	No	Not Reported
Alcohol Involved	84	42	5

***FY09 Sexual Assault synopses of Air Force cases included as separate attachment.**

TAB 2: AF FY09 Data Call Matrix

AIR FORCE FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY	
A. FY09 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING MILITARY MEMBERS (BY or AGAINST)	FY09 Totals
# VICTIMS in FY09 Unrestricted Reports	311
# Service Member victims	218
# Non-Service Member victims	93
# Unrestricted Reports in the following categories	300
# Service Member on Service Member	160
# Service Member on Non-Service Member	86
# Non-Service Member on Service Member	23
# Unidentified Subject on Service Member	31
# Unrestricted Reports of sexual assault occurring	300
# On military installation	150
# Off military installation	132
# Unidentified location	18
# Investigations (From FY09 Unrestricted Reports)	300
# Pending completion as of 30 Sep 09	132
# Completed as of 30 Sep 09	168
# Restricted Reports	286
# Converted from Restricted Report to Unrestricted Report*	40
# FY09 RESTRICTED REPORTS REMAINING RESTRICTED	246
B. INCIDENT DETAILS	FY09 Totals
Length of time between sexual assault and Unrestricted Report	300
# Reports made within 3 days of sexual assault	152
# Reports made within 4 - to 30 days after sexual assault	56
# Reports made within 31 to 365 days after sexual assault	52
# Reports made longer than 365 days after sexual assault	9
# Unknown	31
Time of sexual assault	300
# Midnight to 6 am	154
# 6 am to 6 pm	36
# 6 pm to midnight	44
# Unknown	66
Day of sexual assault	300
# Sunday	45
# Monday	24
# Tuesday	24
# Wednesday	25
# Thursday	28
# Friday	46
# Saturday	77
# Unknown	31
C. FY09 SUMMARY OF THE COMPLETED INVESTIGATIONS	FY09 Totals
# Completed investigations	168
# Investigations with more than one victim, subject, or both	18
# SUBJECTS in the completed investigations	183
# Your Service Member subjects	148
# Service Member subjects from other Services	2
# Non-Service Member subjects	15
# Unidentified subjects	18
# VICTIMS in the completed investigations	176
# Service Member victims	123
# Non-Service Member victims	47
# Service Member victims from other Services	6
# Unknown	0
D. FY09 FINAL DISPOSITIONS IN UNRESTRICTED REPORTS (Subjects)	FY09 Totals
# Final dispositions for FY09 SUBJECTS in the following categories	183
DoD Action Precluded:	
# Subject unknown	12
# Unfounded	8
# Civilian or Foreign Authority-Person subject to the UCMJ	3
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	7
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)***	75
# Probable cause for only non-sexual assault offense	46
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	14
# Insufficient evidence of any offense	15
# Statute of limitations has expired	0
# Unfounded	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	0
# Pending completion as of 30 Sep 09	51
# Completed as of 30 Sep 09	27
# Evidence Supports Command Action for Sexual Assault (FY09 Subjects)	27
# Courts-martial charge preferred (Initiated)	20
# Nonjudicial punishments (Article 15 UCMJ)	7
# Administrative discharges	0
# Other administrative actions	0
E. FINAL DISPOSITIONS FOR SUBJECTS IN UNRESTRICTED REPORTS (Reports made prior to FY09 that were completed in FY09)	FY09 Totals
# Investigations pending from reports made from FY04 to FY08 that were completed as of 30 Sep 09	147
# Pre-FY09 Investigations pending STILL PENDING completion as of 30 Sep 09	2
# Pre-FY09 Investigations COMPLETED as of 30 Sep 09	145
# SUBJECTS for disposition in FY09 - from Pre-FY09 reports - resolved as of 30 Sep 09	314
# Final FY09 DISPOSITIONS for SUBJECTS from FY04 to FY08 reports and investigations that were completed in FY09	314
DoD Action Precluded:	63
# Subject unknown	32
# Unfounded	20
# Civilian or Foreign Authority-Person subject to the UCMJ	9
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	2
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)***	178
# Probable cause for only non-sexual assault offense	64
# Subject deceased or deserted	0
# Victim deceased	0
# Victim declined to participate in the military justice action	37
# Insufficient evidence of any offense	31
# Statute of limitations	0
# Unfounded	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	0
# Pending completion as of 30 Sep 09	46
# Completed as of 30 Sep 09	73
# Evidence Supports Command Action for Sexual Assault (reports that were made prior to FY09 and dispositions completed in FY09)	73
# Courts-martial charge preferred (Initiated)	65
# Nonjudicial punishments (Article 15 UCMJ)	8
# Administrative discharges	0
# Other administrative actions	0
* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.	
** Command Action Precluded or Declined for Sexual Assault: The command cannot or did not take action for one of the following reasons: Probable cause for only non-sexual assault offense, subject's or victim's death, victim declined to participate in the military justice action, insufficient evidence of any offense, statute of limitations, and	
** Probable Cause for only Non-Sexual Assault Offense: The commander took action on a non-sexual assault offense because the allegations made did not meet the required elements of, or there was insufficient evidence for, any of the UCMJ offense constituting the SAPR definition of sexual assault, but allegations did meet the required elements of, and sufficient evidence for, another offense under the UCMJ (e.g., adultery, simple assault, assimilated crime under Article 134, UCMJ).	
** subject's Death: Commander action is precluded due to the death of the alleged subject.	
** Victim's Death: Commander action is precluded due to the death of the victim.	
** Victim's Death: Commander action is precluded due to the death of the victim.	
** victim has declined to further cooperate with military authorities or prosecutors in a military justice action. See insufficient evidence definition for clarification.	
elements of at least one of the criminal offenses that constitute the SAPR definition of sexual assault, there is not enough evidence to legally prove those elements beyond a reasonable doubt and proceed with the case. (Note: If the reason for concluding that there is insufficient evidence is because the victim declined to cooperate, then that reason for being unable to take action should be entered as "victim declined to participate in the military justice action", not that there was just "insufficient evidence.")	
** Statute of Limitations: Determination that pursuant to Article 43 of the UCMJ the applicable statute of limitations has expired and the case may not be prosecuted.	
** Unfounded: Determination that the allegations, as made against the subject, do not meet all the legal elements of any of the SAPR sexual assault offenses. These cases are either false or baseless.	
*** Pursuant to the commander's option identified in Rules for Courts Martial 306(c)(1) no action was taken.	

AIR FORCE FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	FY09 TOTALS
# Service Member VICTIMS in Restricted Reports	286
# Reported sexual assaults AGAINST Service Member victims in the following	286
# Service Member on Service Member	184
# Non-Service Member on Service Member	78
# Unidentified subject on Service Member	24
# Reported sexual assaults occurring	286
# On military installation	127
# Off military installation	157
# Unidentified location	2
B. INCIDENT DETAILS	FY09 TOTALS
Length of time between sexual assault and Restricted Report	286
# Reports made within 3 days of sexual assault	111
# Reports made within 4 to 30 days after sexual assault	54
# Reports made within 31 to 365 days after sexual assault	48
# Reports made longer than 365 days after sexual assault	34
# Unknown	39
Time of sexual assault incident	286
# Midnight to 6 am	93
# 6 am to 6 pm	37
# 6 pm to midnight	132
# Unknown	24
Day of sexual assault incident	286
# Sunday	44
# Monday	19
# Tuesday	14
# Wednesday	16
# Thursday	20
# Friday	41
# Saturday	53
# Unknown	79
C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	FY09 TOTALS
# VICTIMS	286
# Army victims	5
# Navy victims	5
# Marines victims	1
# Air Force victims	275
# Coast Guard	0
# Unknown	0
D. DEMOGRAPHICS FOR FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 TOTALS
Gender of VICTIMS	286
# Male	22
# Female	264
# Unknown	0
Age of VICTIMS	286
# 16-19	67
# 20-24	147
# 25-34	57
# 35-49	10
# 50-64	1
# 65 and older	0
# Unknown	4
Grade of VICTIMS	286
# E1-E4	211
# E5-E9	38
# WO1-WO5	0
# O1-O3	14
# O4-O10	2
# Cadet/Midshipman	19
# Civilian	0
# Foreign national/military	0
# Unknown	2
Status of VICTIMS	286
# Active Duty	244
# Reserve (Activated)	12
# National Guard (Activated)	11
# Civilian	0
# Cadet/Midshipman	19
# Unknown	0

Air Force FY09 SERVICE REFERRALS FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY

NOTE: Support Services are for all victims in each category that were referred for services during the reporting period, regardless of when their report was made (current or prior quarters).

A. SUPPORT SERVICE REFERRALS TO MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	933
# Medical	287
# Counseling	444
# Legal	202
# CIVILIAN facilities (Referred by DoD)	330
# Medical	104
# Counseling	176
# Legal	50
# Cases where SAFEs were conducted	119
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims making an UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS IN RESTRICTED REPORTS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	277
# Medical	95
# Counseling	182
# Legal	0
# CIVILIAN facilities (Referred by DoD)	76
# Medical	34
# Counseling	42
# Legal	0
# Cases where SAFEs were conducted	63
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims making a RR that received service referrals for an incident that occurred prior to military service	47
C. SUPPORT SERVICE REFERRALS TO NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:	FY09 TOTALS
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	322
# Medical	87
# Counseling	168
# Legal	67
# CIVILIAN facilities (Referred by DoD)	412
# Medical	100
# Counseling	229
# Legal	83
# Cases where SAFEs were conducted	41
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0

AIR FORCE COMBAT AREAS OF INTEREST - FY09 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS IN THE MILITARY

A. FY09 COMBAT AREAS OF INTEREST REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) INVOLVING MILITARY ME		FY09 Totals
# VICTIMS in FY09 Unrestricted Reports		12
# Service Member victims		12
# Non-Service Member victims		0
# Unrestricted Reports in the following categories		12
# Service Member on Service Member		8
# Service Member on Non-Service Member		0
# Non-Service Member on Service Member		1
# Unidentified Subject on Service Member		3
# Unrestricted Reports of sexual assault occurring		12
# On military installation		10
# Off military installation		1
# Unidentified location		1
# Investigations (From FY09 Unrestricted Reports)		12
# Pending completion as of 30 Sep 09		3
# Completed as of 30 Sep 09		9
# Restricted Reports		15
# Converted from Restricted Report to Unrestricted Report*		0
# FY08 RESTRICTED REPORTS REMAINING RESTRICTED		15
B. FY09 INCIDENT DETAILS		FY09 Totals
Length of time between sexual assault and Unrestricted Report		12
# Reports made within 3 days of sexual assault		8
# Reports made within 4 to 30 days after sexual assault		1
# Reports made within 31 to 365 days after sexual assault		1
# Reports made longer than 365 days after sexual assault		0
# Unknown		2
Time of sexual assault		12
# Midnight to 6 am		2
# 6 am to 6 pm		3
# 6 pm to midnight		3
# Unknown		4
Day of sexual assault		12
# Sunday		2
# Monday		1

# Tuesday	2
# Wednesday	2
# Thursday	0
# Friday	2
# Saturday	0
# Unknown	3
C. FY09 SUMMARY OF THE COMPLETED INVESTIGATIONS	FY09 Totals
# Completed investigations	9
# Investigations with more than one victim, subject, or both	0
# SUBJECTS in the completed investigations	9
# Your Service Member subjects	7
# Service Member subjects from other Services	0
# Non-Service Member subjects	1
# Unidentified subjects	1
# VICTIMS in the completed investigations	9
# Service Member victims	9
# Non-Service Member victims	0
# Service Member victims from other Services	0
# Unknown	0

D. FY09 FINAL DISPOSITIONS IN UNRESTRICTED REPORTS (Subjects)	FY09 Totals
# Final dispositions for FY09 SUBJECTS in the following categories	9
# DoD Action Precluded:	1
# Subject unknown	1
# Unfounded	0
# Civilian or Foreign Authority-Person subject to the UCMJ	0
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	0
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	3
# <i>Probable cause for only non-sexual assault offense</i>	2
# <i>Subject deceased or deserted</i>	0
# <i>Victim deceased</i>	0
# <i>Victim declined to participate in the military justice action</i>	0
# <i>Insufficient evidence of any offense</i>	1
# <i>Statute of limitations</i>	0
# <i>Unfounded</i>	0
# <i>Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***</i>	0
# Pending completion as of 30 Sep 09	1
# Completed as of 31-JUN-09	4
# Evidence Supports Command Action for Sexual Assault (FY09 Subjects)	4
# Courts-Martial Charge Preferred (Initiated)	3
# Nonjudicial punishments (Article 15 UCMJ)	1
# Administrative discharges	0
# Other administrative actions	0
E. FINAL DISPOSITIONS FOR SUBJECTS (Reports made prior to FY09 that were completed in FY09)	FY09 Totals
# Investigations pending from reports made prior to FY09 that were completed in FY09	0
# Pre-FY09 Investigations pending as of 30-SEP-07 - STILL PENDING completion as of 30 Sep 09	0
# Pre-FY09 Investigations pending as of 30-SEP-07 - COMPLETED as of 30 Sep 09	0
# SUBJECTS for disposition in FY09 - from Pre-FY08 reports - as of 30 Sep 09	0
# Final FY09 DISPOSITIONS for SUBJECTS from reports made prior to FY09 and investigations were completed in FY09	4
# DoD Action Precluded:	0
# Subject unknown	0
# Unfounded	0
# Civilian or Foreign Authority-Person subject to the UCMJ	0
# Civilian or Foreign Authority-Person NOT subject to the UCMJ	0
# Total Command Action Precluded or Declined for Sexual Assault (definitions provided below Section E)**	1
# <i>Probable cause for only non-sexual assault offense</i>	0
# <i>Subject deceased or deserted</i>	0

# Victim deceased	0
# Victim declined to participate in the military justice action	0
# Insufficient evidence of any offense	1
# Statute of limitations	0
#Unfounded	0
# Commander declined action pursuant to UCMJ Rules of Courts-Martial 306(c)(1)***	0
# Pending completion as of 30 Sep 09	0
# Completed as of 30 Sep 09	3
# Evidence Supports Command Action for Sexual Assault (reports that were made prior to FY09 and dispositions completed in FY09)	3
# Courts-Martial Charge Preferred (Initiated)	2
# Nonjudicial punishments (Article 15 UCMJ)	1
# Administrative discharges	0
# Other administrative actions	0

* The total number of reports that converted to Unrestricted Reports are included in the total number of Unrestricted Reports provided in Section A.

**** Command Action Precluded or Declined for Sexual Assault: The command cannot or did not take action for one of the following reasons: Probable cause for only non-sexual assault offense, subject's or victim's death, subject's desertion, victim declined to participate in the military justice action, insufficient evidence of any offense, statute of limitations, and unfounded.**

**** Probable Cause for only Non-Sexual Assault Offense:** The commander took action on a non-sexual assault offense because the allegations made did not meet the required elements of, or there was insufficient evidence for, any of the UCMJ offense constituting the SAPR definition of sexual assault, but allegations did meet the required elements of, and sufficient evidence for, another offense under the UCMJ (e.g., adultery, simple assault, assimilated

**** Subject's Death or Deserted:** Commander action is precluded due to the death or desertion of the alleged subject.

**** Victim's Death:** Commander action is precluded due to the death of the victim.

**** Victim Declined to Participate in the Military Justice Action:** Commander action is precluded or declined because the victim has declined to further cooperate with military authorities or prosecutors in a military justice action. **See insufficient evidence definition for clarification.**

**** Insufficient Evidence of any Offense:** Although the allegations made against the alleged subject meet the required elements of at least one of the criminal offenses that constitute the SAPR definition of sexual assault, there is not enough evidence to legally prove those elements beyond a reasonable doubt and proceed with the case. (Note: If the reason for concluding that there is insufficient evidence is because the victim declined to cooperate, then that reason for being unable to take action should be entered as "victim declined to participate in the military justice action", not that there was just "insufficient evidence.")

**** Statute of Limitations:** Determination that pursuant to Article 43 of the UCMJ the applicable statute of limitations has expired and the case may not be prosecuted.

****Unfounded:** Determination that the allegations, as made against the subject, do not meet all the legal elements of any of the SAPR sexual assault offenses. These cases are either false or baseless.

***** Pursuant to the Rules for Courts Martial, Section 306(c)(1), the commander declined to take action against the subject.**

DEMOGRAPHICS ON SUBJECTS FOR COMPLETED FY09 INVESTIGATIONS																						
Gender of SUBJECTS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	5	2	0	9
# Male	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	4	2	0	8
# Female	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Age of SUBJECTS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	5	2	0	9
# 16-19	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# 20-24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	2	0	3
# 25-34	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	2
# 35-49	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# 50-64	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 65 and older	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	2
Grade of SUBJECTS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	5	2	0	9
# E1-E4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	0	4
# E5-E9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	0	0	3
# WO1-WO5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# O1-O3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# O4-O10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Cadet/Midshipman	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Foreign national/military	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
Service of SUBJECTS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	5	2	0	9
# Army	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Navy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Marines	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Air Force	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	4	2	0	7
# Coast Guard	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
Status of SUBJECTS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	5	2	0	9
# Active Duty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	4	2	0	7
# Reserve (Activated)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# National Guard (Activated)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# Cadet/Midshipman	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1

COMBAT AREAS OF INTEREST - FY09 LOCATION OF UNRESTRICTED REPORTS BY TYPE OF OFFENSE

H. TOTAL # FY09 COMBAT AREAS OF INTEREST UNRESTRICTED REPORTS OF SEXUAL ASSAULT	Pre-FY08 INCIDENTS				FY08 INCIDENTS							FY09 INCIDENTS								FY09 Totals	
	Rape (Art. 120)	Indecent Assault (Art. 134)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit these Offenses	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)			
TOTAL UNRESTRICTED REPORTS	0	0	0	0	0	0	0	0	0	0	0	4	1	0	0	5	2	0	0	12	
Arabian Peninsula, Iraq & Red Sea																					
Bahrain	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Iraq	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	0	0	0	3	
Jordan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Lebanon	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Syria	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Yemen	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Djibouti	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Egypt	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Kuwait	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	0	
Oman	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Qatar	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	2	0	4	0	
Saudi Arabia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
United Arab Emirates	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
South Asia																					
Iran	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pakistan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Afghanistan	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	1	0	
Other																					
Kyrgyzstan														1							1

Air Force COMBAT AREAS OF INTEREST - FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT IN THE MILITARY	
A. FY09 COMBAT AREAS OF INTEREST - RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	FY09 Totals
# Service Member VICTIMS in Restricted Reports	15
# Reported sexual assaults AGAINST Service Member victims in the following categories	15
# Service Member on Service Member	11
# Non-Service Member on Service Member	1
# Unidentified subject on Service Member	3
# Reported sexual assaults occurring	15
# On military installation	12
# Off military installation	3
# Unidentified location	0
B. FY09 INCIDENT DETAILS	FY09 Totals
Length of time between sexual assault and Restricted Report	15
# Reports made within 3 days of sexual assault	7
# Reports made within 4 to 30 days after sexual assault	3
# Reports made within 31 to 365 days after sexual assault	2
# Reports made longer than 365 days after sexual assault	3
# Unknown	0
Time of sexual assault incident	15
# Midnight to 6 am	5
# 6 am to 6 pm	2
# 6 pm to midnight	6
# Unknown	2
Day of sexual assault incident	15
# Sunday	1
# Monday	0
# Tuesday	1
# Wednesday	0
# Thursday	3
# Friday	2
# Saturday	2
# Unknown	6
C. FY09 RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	FY09 Totals
# VICTIMS	15
# Army	0
# Air Force	15
# Navy	0
# Marines	0
# Unknown	0
D. FY09 DEMOGRAPHICS FOR FY09 RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 Totals
Gender of VICTIMS	15
# Male	0
# Female	15
# Unknown	0
Age of VICTIMS	15
# 16-19	0
# 20-24	8
# 25-34	5
# 35-49	2
# 50-64	0
# 65 and older	0
# Unknown	0
Grade of VICTIMS	15
# E1-E4	8
# E5-E9	4
# WO1-WO5	0
# O1-O3	3
# O4-O10	0
# Cadet/Midshipman	0
# Civilian	0
# Foreign national/military	0
# Unknown	0
Status of VICTIMS	15
# Active Duty	14
# Reserve (Activated)	0
# National Guard (Activated)	1
# Civilian	0
# Cadet/Midshipman	0
# Unknown	0
NOTE:	

AIR FORCE COMBAT AREAS OF INTEREST - LOCATION OF FY09 RESTRICTED REPORTS	
E. TOTAL # FY09 COMBAT AREAS OF INTEREST -RESTRICTED REPORTS OF SEXUAL ASSAULT	FY09 Totals
<i>TOTAL RESTRICTED ASSAULTS IN COMBAT AREAS OF INTEREST</i>	<i>15</i>
Arabian Peninsula, Iraq & Red Sea	
Bahrain	0
Iraq	2
Jordan	0
Lebanon	0
Syria	0
Yemen	0
Djibouti	0
Egypt	0
Kuwait	2
Oman	0
Qatar	9
Saudi Arabia	0
United Arab Emirates	0
South Asia	
Iran	0
Pakistan	0
Afghanistan	1
Other (Kyrgyzstan)	1
NOTE: 1 report at Manas AB, Kyrgyzstan	

AIR FORCE COMBAT AREAS OF INTEREST: FY09 SERVICE REFERRALS FOR VICTIMS OF SEXUAL ASSAULT IN THE MILITARY

NOTE: Support Services are for all victims in each category that were referred for services during the reporting period, regardless of when their report was made (current or prior quarters).

A. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS FROM UNRESTRICTED REPORTS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	24
# Medical	11
# Counseling	9
# Legal	4
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	2
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims in UR that received service referrals for an incident that occurred prior to military service	0
B. SUPPORT SERVICE REFERRALS FOR MILITARY VICTIMS FROM RESTRICTED REPORTS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	4
# Medical	2
# Counseling	2
# Legal	0
# CIVILIAN facilities (Referred by DoD)	0
# Medical	0
# Counseling	0
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Military Victims in RR that received service referrals for an incident that occurred prior to military service	0
C. SUPPORT SERVICE REFERRALS FOR NON-MILITARY (DOD CIVILIANS, CONTRACTORS, ETC) VICTIMS:	FY09 Totals
# Support service referrals for VICTIMS in the following categories	
# MILITARY facilities	0
# Medical	0
# Counseling	0
# Legal	0
# CIVILIAN facilities (Referred by DoD)	1
# Medical	0
# Counseling	1
# Legal	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0

TAB 3: AF FY09 Data Call Case Synopses

FY09 SEXUAL ASSAULT SYNOPSES OF AIR FORCE CASES

CASE NUMBER	QUARTER DISPOSITION COMPLETED	SUBJECT GRADE	VICTIM GRADE	SUBJECT GENDER	VICTIM GENDER	UCMJ VIOLATION INVESTIGATED	BRIEF SYNOPSIS
1	3rd	E3	E3	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred in base housing at Luke AFB, AZ. A charge of rape was referred to a general court-martial. The accused was acquitted.
	4th	E5	E3	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred in base housing at Luke AFB, AZ. The commander concluded there was insufficient evidence to proceed against the subject.
	3rd	E6	E3	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred in base housing at Luke AFB, AZ. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
2	2nd	E7	E3	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The other victims alleged inappropriate behavior. The offense allegedly occurred on base in a dormitory at Whiteman AFB, MO. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
			E4		Female		See above
			Civ		Female		See above

3	4th	E4	Civ	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in base housing at Tinker AFB, OK at a party with another couple. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
	4th	E4	Civ	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in base housing at Tinker AFB, OK at a party with another couple. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
4	4th	E3	Civ	Male	Female	Aggravated Sexual Assault	OCONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in a dorm room at Lakenheath, UK. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
5	4th	E3	E2	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Ellsworth AFB, SD. After the victim declined to proceed, the commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
			E3		Female		CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Ellsworth AFB, SD. After victim declined to proceed, the commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
6	3rd	E6	E1	Male	Female	Wrongful	CONUS. The victims made an allegation of wrongful

						sexual contact (Article 120, UCMJ)	sexual contact (Article 120, UCMJ). The offense allegedly occurred on base in a building at Eglin AFB, FL. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
			E4		Female		See above
7	2nd	E4	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Robins AFB, GA. After civilian authorities declined to prosecute, the commander ultimately took no action after the victim declined to cooperate.
	2nd	E5	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Robins AFB, GA. After civilian authorities declined to prosecute, the commander ultimately took no action after the victim declined to cooperate.
8	2nd	E2	Civ	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a billeting room at Spangdahlem AB, GE. The commander imposed nonjudicial punishment for indecent acts and subject was reduced to airman basic (E-1)
	2nd	E3	Civ	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a billeting room at Spangdahlem AB, GE. The commander imposed nonjudicial punishment for indecent acts and subject was reduced to airman basic (E-1)
9	4th	E4	E2	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	OCONUS. The victims made allegations of wrongful sexual contact (Article 120, UCMJ). The offenses allegedly occurred off base at a residence near Aviano AB, IT. Charges of wrongful sexual contact and aggravated sexual assault were referred to a general court-martial. The subject was acquitted of wrongful sexual contact and convicted of aggravated sexual assault and sentenced to a bad conduct discharge, 18 months confinement, total forfeitures, and reduction to

							E-1.
			E3		Female		See above
10	3rd	E4	E3	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Kunsan AB, KOR. Charges of indecent acts, aggravated sexual assault, forcible sodomy and adultery were dismissed after an Article 32 investigation and nonjudicial punishment for indecent acts and adultery was imposed. Punishment was reduction to E-3, forfeiture of \$929 pay per month for 2 months, extra duties for 30 days, and restriction for 45 days.
	3rd	E4	E3	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Kunsan AB, KOR. Charges of indecent acts, aggravated sexual assault, forcible sodomy and adultery were dismissed after an Article 32 investigation and nonjudicial punishment for indecent acts and adultery was imposed. Punishment was reduction to E-3, forfeiture of \$929 pay per month for 2 months, extra duties for 40 days, and restriction for 40 days.
11	2nd	O6	Civ	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	OCONUS. The victims made allegations of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred on base in a base pool at Hickam AFB, HI. The commander imposed nonjudicial punishment of forfeiture of \$4631.00 pay per month for 2 months and a reprimand
			Civ		Female		See above
12	2nd	Civ	E1	Female	Male	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred in a dorm room at McGuire AFB, NJ. Jurisdiction rested with civilian authorities, no action taken as allegation disproved.
	2nd	Civ	E1	Female	Male	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred in a dorm room at McGuire AFB, NJ. Jurisdiction rested with civilian authorities,

							no action taken as allegation disproved.
13	3rd	E4	Civ	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Ramstein AB, GE. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
14	3rd	O3	E5	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in military lodging at Ramstein AB, GE. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
15	3rd	E3	2	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred off base in a hotel near Nellis AFB, NV. The commander ultimately took no action after the victim declined to cooperate.
16	2nd	E7	Civ	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in base housing at Holloman AFB, NM. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
17	2nd	E3	Civ	Male	Female	Aggravated Sexual Assault	OCONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in base housing at Kadena AB, JA. The commander ultimately took no action after the victim declined to cooperate.
18	2nd	E5	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Fairchild AFB, WA. The subject was court-martialed for other offenses revealed during the investigation and was sentenced to confinement for 11

							months and 20 days, reduction to E-3, and a reprimand
19	2nd	E3	E3	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in a dorm room at the US Air Force Academy, CO. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation after the victim stated the activity was consensual and took nonjudicial punishment action for other offenses.
20	4th	E5	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a billeting room at Hanscom AFB, MA. The commander referred charges of adultery, rape, wrongful sexual contact, violation of an order, aggravated sexual assault, and obstruction of justice to trial. Charges were later dismissed and subjected received nonjudicial punishment for adultery, false official statement and wrongful sexual contact. Punishment was reduction to the grade of E-4, forfeiture of \$1109.00 pay per month for 2 months and a reprimand.
21	2nd	E2	Civ	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base in a residence near Seymour Johnson AFB, NC. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
22	3rd	E3	E1	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a vacant dorm at Lackland AFB, TX. After the victim stated she did not believe the offense occurred, the commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other

							offenses.
23	4th	E6	E5	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a restaurant parking lot near Lackland AFB, TX. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
24	3rd	E3	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Lackland AFB, TX. The commander concluded there was insufficient evidence to proceed against the subject.
25	3rd	E3	E2	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Nellis AFB, NV. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
26	3rd	E4	E4	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Mt Home AFB, ID. After civilian authorities declined to proceed, the commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation after victim declined to cooperate and took administrative action for other offenses.
27	4th	E7	E7	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a hotel near Washington DC. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
28	3rd	E6	E7	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred in military lodging in Romania. The commander concluded there was insufficient evidence to proceed against the subject for

							the sexual assault allegation and took administrative action for other offenses.
29	3rd	E4	O2	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Hill AFB, UT. The commander concluded there was insufficient evidence to proceed against the subject.
30	4th	E3	E5	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Kunsan AB, KOR. Charges of rape and forcible sodomy were referred to a general court-martial. The accused was acquitted.
31	3rd	Unknown	E1	Unknown	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred in an open area at Sheppard AFB, TX. The subject was never identified.
32	3rd	Civ	E2	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Beale AFB, CA. Jurisdiction rested with civilian authorities.
33	4th	E3	Civ	Female	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred at various locations at Keesler AFB, MS. The commander imposed nonjudicial punishment for wrongful sexual contact and reduced subject to airman (E-2).
34	4th	E2	E2	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Ellsworth AFB, SD. After victim declined to proceed, the commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
35	3rd	E4	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in an apartment near F.E. Warren AFB, WY. After civilian authorities declined to prosecute, the commander ultimately took

							no action after the victim declined to cooperate.
36	3rd	E5	E5	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base in a residence near Barksdale AFB, LA. The commander ultimately took no action after the victim declined to cooperate.
37	4th	E3	Civ	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in a dorm room at McGuire AFB, NJ. Civilian authorities transferred jurisdiction to the Air Force. The commander imposed nonjudicial punishment for assault of reduction to the grade of airman (E-2) (suspended), forfeiture of \$784.00 pay per month for 2 months, 15 days extra duty and a reprimand.
38	3rd	E4	E3	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Kadena AB, JA. The commander ultimately took no action after the victim declined to cooperate.
39	4th	E3	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a car in a parking lot at Barksdale AFB, LA. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
40	3rd	E4	Civ	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Ramstein AB, GE. After German authorities declined to prosecute after concluding the allegation was unfounded, the commander also declined to take action.
41	3rd	E4	E3	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in a dorm room at Fairchild AFB, WA. The commander concluded there was insufficient evidence to proceed against the subject.
42	3rd	Unknown	E1	Unknown	Female	Rape	CONUS. The victim made an allegation of rape. The

							offense allegedly occurred on base in a dorm room at Offutt AFB, NE. The subject was never identified.
43	4th	E6	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Andrews AFB, MD. The commander concluded there was insufficient evidence to proceed against the subject.
44	3rd	E3	E5	Male	Male	Aggravated Sexual Assault	OCONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred off base in an apartment near Aviano AB, IT. The commander concluded there was insufficient evidence to proceed against the subject.
45	4th	E4	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Wright-Patterson AFB, OH. The commander ultimately took no action after the victim declined to cooperate.
46	3rd	E3	E3	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Aviano AB, IT. The commander concluded no offense had been committed.
47	3rd	E5	Civ	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred off base in a residence near F.E. Warren AFB, WY. Civilian authorities transferred jurisdiction to the Air Force. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
48	4th	E5	Civ	Male	Female	Abusive Sexual Contact	CONUS. The victim made an allegation of abusive sexual contact. The offense allegedly occurred off base in a residence near Maxwell AFB, AL. Civilian authorities declined to prosecute and transferred jurisdiction to Air Force. The commander preferred charges of rape, forcible sodomy and adultery. The charges were dismissed after an Article 32

							investigation.
49	4th	E1	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Ramstein AB, GE. The commander ultimately took no action after the victim declined to cooperate.
50	4th	E4	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Wright-Patterson AFB, OH. The commander ultimately took no action after the victim declined to cooperate.
51	3rd	E3	E3	Male	Female	Aggravated Sexual Contact	OCONUS. The victim made an allegation of aggravated sexual contact. The offense allegedly occurred on base in a dorm room at Osan AB, ROK. The commander ultimately took no action after the victim declined to cooperate.
52	4th	E6	E5	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred off base in a residence near Travis AFB, CA. Civilian authorities transferred jurisdiction to Air Force The commander preferred charges of rape. The charges were dismissed after an Article 32 investigation.
53	3rd	Unknown	E3	Unknown	Male	Forcible sodomy (Article 125, UCMJ)	CONUS. The victim made an allegation of forcible sodomy (Article 125, UCMJ). The offense allegedly occurred off base in a club near Travis AFB, CA. The subject was never identified.
54	4th	Unknown	E4	Unknown	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a building at Osan AB, ROK. The subject was never identified.
55	4th	E1	E1	Female	Male	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred in a car in a parking lot at Keesler AFB, MS. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
56	4th	E2	E1	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a hotel near

							Sheppard AFB, TX. The commander concluded there was insufficient evidence to proceed against the subject.
57	4th	E3	Civ	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred in base housing at Beale AFB, CA. The accused pleaded guilty to charges of drunk driving and assault in a special court-martial and was sentenced to reduction to airman (E-2), confinement for 4 months and forfeiture of \$1042 per months for 4 months.
58	3rd	Unknown	E3	Unknown	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Moody AFB, GA. The subject was never identified.
59	4th	E3	Civ	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual assault. The offense allegedly occurred off base in a residence near Buckley AFB, CO. The commander concluded no offense had been committed.
60	2nd	E3	E3	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred on base in a dorm room at Goodfellow AFB, TX. The commander concluded there was insufficient evidence to proceed against the subject.
61	2nd	E1	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on a parade field at Sheppard AFB, TX. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
62	3rd	E3	Civ	Male	Female	Aggravated Sexual Contact	CONUS. The victim made an allegation of aggravated sexual contact. The offense allegedly occurred off base on a street near Luke AFB, AZ. The commander referred charges of abusive sexual contact to a special

							court-martial. Subjected pleaded guilty and was sentenced to reduction to airman basic (E-1), confinement for 15 days, and a reprimand
63	3rd	Unknown	E3	Unknown	Female	Aggravated Sexual Assault	OCONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred off base in a residence near Ramstein AB, GE. The subject was never identified.
64	2nd	E4	E4	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in multiple locations near the US Air Force Academy, CO. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
65	4th	E6	E3	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in military housing at Lajes Field, Azores PO. The commander referred charges of aggravated sexual assault to a general court-martial. The accused was acquitted.
66	2nd	E5	E5	Male	Female	Attempted Rape	OCONUS. The victim made an allegation of attempted rape. The offense allegedly occurred on base in billeting at Andersen AFB, GU. After the victim declined to cooperate, the commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
67	2nd	E3	E4	Male	Female	Forcible sodomy (Article 125, UCMJ)	OCONUS. The victim made an allegation of forcible sodomy (Article 125, UCMJ). The offense allegedly occurred on base in a facility at Al Udeid, Qatar. Charges of aggravated sexual contact and forcible sodomy were dismissed following an Article 32 investigation.
68	2nd	E3	E3	Male	Female	Wrongful sexual contact (Article 120,	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred on base in a dorm room at Grand Forks AFB, ND. The commander concluded there

						UCMJ)	was insufficient evidence to proceed against the subject.
69	2nd	E3	E3	Male	Female	Aggravated Sexual Assault	OCONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in a dorm room at Aviano AB, IT. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
70	2nd	E4	E2	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base in a residence near Langley AFB, VA. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
71	2nd	E5	E4	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base in a residence near Cannon AFB, NM. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
72	4th	E4	E2	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred off base in an apartment near Kirtland AFB, NM. The commander concluded there was insufficient evidence to proceed against the subject.
73	4th	E4	E4	Male	Female	Abusive Sexual Contact	CONUS. The victim made an allegation of abusive sexual contact. The offense allegedly occurred on base in military housing at Malmstrom AFB, MT. The commander referred charges of Subject pleading guilty to abusive sexual contact, not guilty to rape, aggravated sexual assault and assault and battery. The accused was convicted of rape and aggravated sexual assault and sentenced to a dishonorable

							discharge, 9 years confinement, reduction to airman basic (E-1) and total forfeitures
74	2nd	E4	Civ	Male	Female	Aggravated Sexual Assault	OCONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred off base in a residence near Ramstein AB, GE. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
75	3rd	O1	O1	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base in a residence near Malmstrom AFB, MT. The commander preferred charges of abusive sexual contact and wrongful sexual contact. The charges were dismissed after the Article 32 investigation and administrative action was taken.
76	3rd	E2	E2	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Seymour Johnson AFB, NC. The commander concluded there was insufficient evidence to proceed against the subject.
77	3rd	E4	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a car outside a bar near Mt Home AFB, ID. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
78	3rd	E3	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Mt Home AFB, ID. The commander preferred charges of rape, adultery and wrongfully providing alcohol to an underage person. The charges were dismissed following an Article 32 investigation and the commander imposed nonjudicial punishment for non

							sexual assault offenses,
79	2nd	E6	E2	Male	Female	Forcible sodomy (Article 125, UCMJ)	OCONUS. The victim made an allegation of forcible sodomy (Article 125, UCMJ). The offense allegedly occurred on base in a dorm room at Andersen AFB, GU. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
80	3rd	Civ	E3	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	OCONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base in a store near Izmir, TU. Jurisdiction rested with civilian authorities.
81	2nd	Civ	E3	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Lakenheath, UK. Jurisdiction rested with civilian authorities.
82	2nd	E7	E5	Male	Female	Abusive Sexual Contact	CONUS. The victim made an allegation of abusive sexual contact. The offense allegedly occurred off base in a club near Dover AFB, DE. The commander concluded no offense had been committed.
83	2nd	E6	E3	Male	Female	Aggravated Sexual Assault	OCONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on multiple locations on Balad AB, Iraq. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
84	2nd	E4	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in base housing at Vandenburg AFB, CA. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
85	2nd	O2	O2	Male	Female	Wrongful sexual	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense

						contact (Article 120, UCMJ)	allegedly occurred off base in an apartment near Vandenburg AFB, CA. After civilian authorities declined jurisdiction, the commander concluded there was insufficient evidence to proceed against the subject.
86	2nd	E3	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in billeting at Eielson AFB, AK. The commander concluded there was insufficient evidence to proceed against the subject.
87	2nd	E3	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Moody AFB, GA. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
88	2nd	E4	E4	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in base housing at Shaw AFB, SC. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
89	2nd	E4	E3	Male	Female	Abusive Sexual Contact	CONUS. The victim made an allegation of abusive sexual contact. The offense allegedly occurred on base in a dorm room at Shaw AFB, SC. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
90	2nd	Unknown	E4	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base near MacDill AFB, FL. The subject was never identified.
91	2nd	O4	O2	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in billeting at Shaw AFB, SC. The commander concluded there was

							insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
92	2nd	Civ	E4	Female	Male	Abusive Sexual Contact	CONUS. The victim made an allegation of abusive sexual contact. The offense allegedly occurred on base in a building at Charleston AFB, SC. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
93	2nd	E4	Civ	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in base housing at Ellsworth AFB, SD. The allegation came light after the victim was taken to civilian authorities following an off base altercation. The victim declined to cooperate. Civilian authorities transferred jurisdiction to the Air Force. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation.
94	2nd	Civ	E4	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Pope AFB, NC. Jurisdiction rested with civilian authorities.
95	2nd	E4	E3	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in a dorm room at Mt Home AFB, ID. The commander concluded there was insufficient evidence to proceed against the subject.
96	2nd	Civ	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Hurlburt Field, FL. Jurisdiction rested with civilian authorities.
97	2nd	E3	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Hurlburt Field, FL. The commander referred charges

							of aggravated sexual assault, adultery, and false official statement to a general court-martial. The accused was convicted of aggravated sexual assault, indecent acts, adultery and false official statement and sentenced to a bad conduct discharge, confinement for 6 months, reduction to airman basic (E-1), and a reprimand.
98	2nd	E3	E3	Male	Female	Aggravated Sexual Assault	OCONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in a dorm room at Andersen AFB, GU. The commander preferred charges of unlawful entry, aggravated sexual assault, abusive sexual contact, aggravated sexual contact, wrongful sexual contact, assault consummated by a battery. The charges were dismissed following an Article 32 investigation.
99	2nd	E6	Civ	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in base housing at Malmstrom AFB, MT. he commander concluded no offense had been committed.
100	2nd	E4	E3	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Dyess AFB, TX. The commander ultimately took no action after the victim declined to cooperate.
101	2nd	E3	E4	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Spangdahlem AB, GE. The commander ultimately took no action after the victim declined to cooperate.
102	2nd	E4	E4	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a dorm room at Langley AFB, VA. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.

103	2nd	E6	E4	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred off base in a residence near Davis-Monthan AFB, AZ. The commander preferred charges of aggravated sexual assault and forcible sodomy. The charges were dismissed following an Article 32 investigation.
104	2nd	E3	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Whiteman AFB, MO. Civilian authorities concluded the allegation was unfounded and transferred jurisdiction to the Air Force. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and subsequently discharged subject for other misconduct.
105	2nd	O6	E3	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred in an office building at McGuire AFB, NJ. The commander imposed nonjudicial punishment for maltreatment and wrongful sexual contact and imposed a reprimand.
106	2nd	E3	E3	Male	Female	Abusive Sexual Contact	CONUS. The victim made an allegation of abusive sexual contact. The offense allegedly occurred off base in a residence near Travis AFB, CA. The commander ultimately took no action after the victim declined to cooperate.
107	2nd	E4	Civ	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base near Dover AFB, DE. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
108	2nd	Civ	E6	Male	Female	Wrongful sexual contact	OCONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base in a residence in Ankara,

						(Article 120, UCMJ)	TU. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
109	2nd	E3	E1	Male	Female	Aggravated Sexual Assault	CONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base in a dorm room at Offutt AFB, NE. The commander concluded there was insufficient evidence to proceed against the subject.
110	2nd	E6	Civ	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence near Eglin AFB, FL. After civilian authorities declined to prosecute, the commander ultimately took no action after the victim declined to cooperate.
111	2nd	Unknown	E3	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a building at Ramstein AB, GE. The subjects were never identified.
	2nd	Unknown	E3	Unknown	Female	Rape	See above
	2nd	Unknown	E3	Unknown	Female	Rape	See above
112	2nd	O5	E4	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base in a bar near Elmendorf AFB, AK. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
			E5		Female		CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base in a bar near Elmendorf AFB, AK. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
113	2nd	Unknown	E6	Male	Female	Rape	CONUS. The victim made an allegation of rape. The offense allegedly occurred off base in a residence

							near Eglin AFB, FL. The subject was never identified.
114	2nd	E3	E3	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred on base in a dorm room at Eglin AFB, FL. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
115	2nd	E5	E3	Male	Female	Aggravated Sexual Assault	OCONUS. The victim made an allegation of aggravated sexual assault. The offense allegedly occurred on base at Balad AB, Iraq. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
116	2nd	E7	E3	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	OCONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred at a recreation facility at Manas AB, Afghanistan. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took administrative action for other offenses.
117	2nd	E3	E4	Male	Female	Forcible sodomy (Article 125, UCMJ)	OCONUS. The victim made an allegation of forcible sodomy (Article 125, UCMJ). The offense allegedly occurred in a locker room at Al Udeid AB, Qatar. The commander preferred charges of aggravated sexual contact and forcible sodomy. The charges were dismissed following an Article 32 investigation.
118	2nd	E3	E5	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	OCONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred on base in a facility at Ali Al Salem AB, Kuwait. The commander concluded there was insufficient evidence to proceed against the subject.
119	2nd	E5	E3	Male	Female	Wrongful sexual contact	OCONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred on base in a facility at Balad AB,

						(Article 120, UCMJ)	Iraq. The commander preferred charges of Indecent exposure, simple assault, wrongful sexual contact, and communicating a threat. The charges were dismissed following an Article 32 investigation.
120	2nd	E3	E3	Female	Female	Wrongful sexual contact (Article 120, UCMJ)	OCONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred on various locations on Ali AB, Iraq. The commander imposed nonjudicial punishment for wrongful sexual contact an indecent language and subject was reduced to airman (E-2), reprimanded, and ordered to forfeit \$784 pay per month for 2 months (suspended).
121	2nd	E7	Civ	Male	Female	Wrongful sexual contact (Article 120, UCMJ)	CONUS. The victim made an allegation of wrongful sexual contact (Article 120, UCMJ). The offense allegedly occurred off base in a residence near Vandenburg AFB, CA. The commander concluded there was insufficient evidence to proceed against the subject for the sexual assault allegation and took nonjudicial punishment action for other offenses.
122	2nd	Unknown	E4	Male	Female	Rape	OCONUS. The victim made an allegation of rape. The offense allegedly occurred on base in a building at Manas AB, Kyrgyzstan. The subject was never identified.



DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE

