

IPS 1-11 IMMUNITY FROM PEACE CORPS DISCIPLINARY ACTION FOR VICTIMS OF SEXUAL ASSAULT

Effective Date: November 21, 2011

Responsible Office: Office of Victim Advocacy

1.0 Authority

22 U.S.C. §2504(a).

2.0 Purposes

In accordance with the Peace Corps' *Commitment to Sexual Assault Victims*, the primary focus of the Peace Corps' response to a sexual assault is to provide a compassionate and supportive response to the Volunteer or Trainee ("V/T") who has been sexually assaulted. The Peace Corps' policy is (a) to encourage reporting of sexual assaults and (b) to not focus on the victim's behavior or otherwise blame the victim, either directly or indirectly, for the assault.

3.0 Immunity for Policy Violations

In order to further the purposes set out in paragraph 2, the Peace Corps will provide the victim of a sexual assault, as well as any witness who provides information or assistance in relation to the sexual assault of a V/T, with immunity for policy violations related to the incident. No victim of a sexual assault or any such witness will be subject to any disciplinary action (including but not limited to a verbal or written reprimand, behavioral contract or, except as provided in paragraph 4(b), administrative separation) for any violation of an agency-wide or post-specific policy that may have taken place in connection with, or in the same general time frame as, the assault.

4.0 Limitations and Exclusions

- a) While such policy violations will not be handled as disciplinary matters, any implications that such violations may have for the ability of the V/T to continue to serve in a safe and effective manner may be addressed in professional counseling that the Peace Corps provides to the victim in response to the sexual assault.
- b) If a case involves particularly severe conduct that has an impact on a V/T's ability to continue to serve safely and effectively or that has a significant impact on the programs or operations of the agency, it will be addressed through consultations among the Victim Advocate, Peace Corps headquarters and the post. The Deputy Director will have final authority to make any decision that the V/T is unable to continue service.
- c) This policy only applies to disciplinary action by the Peace Corps. It does not grant immunity for criminal or civil liability for violations of U.S. or local law.
- d) Any V/T who is found to have encouraged or voluntarily participated in a sexual assault is excluded from this policy.

- e) Nothing in this IPS is intended to preclude the Peace Corps from taking appropriate action against any V/T who knowingly or recklessly makes a false statement or accusation.

5.0 Effective Date

The effective date is the date of issuance.