

Department of Defense

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



2014



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

NOV 25 2014

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

Dear Mr. President:

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

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

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

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

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

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Don Haggard", is located below the "Respectfully yours," text.

Enclosure:
As stated

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

1 Extensive Leadership Engagement

2 Comprehensive Prevention & Response System

(5 Lines of Effort)



- Prevention (LOE1)
- Investigation (LOE2)
- Accountability (LOE3)
- Advocacy & Victim Assistance (LOE4)
- Assessment (LOE5)

3 Prevalence Down Reporting Up

4 ENHANCED PREVENTION STRATEGY

5 Special Victims' Counsel

6 Survivor Experience Survey

7 Professionalization of SAPR team

8 Partnerships/Collaborations

9 DSAID Defense Sexual Assault Incident Database

10 Increased Commander Accountability

EXECUTIVE SUMMARY



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

There is no silver bullet to solving this problem. This is going to require a sustained effort over a long period of time and we will not stop until we've seen this scourge eliminated.

*Barack Obama
President of the United States
May 16, 2014*

To this end, the Department's aim is to reduce, with the ultimate goal to eliminate, the crime of sexual assault in the Armed Forces. The Department of Defense-wide strategic approach to sexual assault is prevention-focused with an unwavering commitment to victim¹ care. By employing a comprehensive prevention and response system, the Department is taking deliberate, meaningful actions to:

- prevent the crime
- empower victims and facilitate recovery when incidents do occur
- sustain its commitment to holding offenders² appropriately accountable

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

Purpose and Scope

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

¹ Although many advocates prefer to use the term "survivor" to describe an individual who has been sexually assaulted, the term "victim" is also widely used. This document uses the terms interchangeably and always with respect for those who have been subjected to these crimes.

² Use of the term "offender" or "perpetrator" in this report is not intended to convey presumptions on guilt or innocence.

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

The report also contains preliminary results from the new Survivor Experience Survey and the recent focus group effort on sexual assault prevention and response in the military, both fielded by the Defense Manpower Data Center;³ provisional results of the RAND Corporation's Military Workplace Study;⁴ and provisional statistical data on the Department's Fiscal Year 2014 reports of sexual assault.⁵ Metrics and non-metrics⁶ developed by the Department - as requested by the White House - are also provided for the assessment of strengths and opportunities for improvement in the Department's sexual assault prevention and response program. The data cover elements of prevention, the investigative and legal processes, and victim confidence in - and satisfaction with - the response system.

Organizational Change – Within and Beyond

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

We know that lasting change begins by changing the behaviors that lead to sexual assault.

*General Martin E. Dempsey
Chairman of the Joint Chiefs of Staff
June 4, 2013*

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

³ The 2014 Survivor Experience Survey Overview Report and the 2014 Department of Defense Report of Focus Groups on Sexual Assault Prevention and Response are available at Annexes 2 & 3, respectively.

⁴ The 2014 RAND Military Workplace Study report is available at Annex 1.

⁵ See Appendix A: Provisional Statistical Data on Sexual Assault.

⁶ "Non-metrics" are items that address the military justice process. There will be no effort to direct these aspects or outcomes, as doing so may constitute unlawful command influence on military justice. However, given the substantive interest in the military justice system and how it functions, these items will be used to describe or illustrate certain aspects of the system.

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

Evidence of Progress – Top Ten Indicators and Agents of Change

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



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

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

*Chuck Hagel
United States Secretary of Defense
May 1, 2014*

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

⁷ Starr, Barbara, "Defense Secretary Hagel asking for information about military ties to NFL," *CNN*, Sept. 19, 2014, <http://www.cnn.com/2014/09/19/politics/hagel-and-nfl/>.

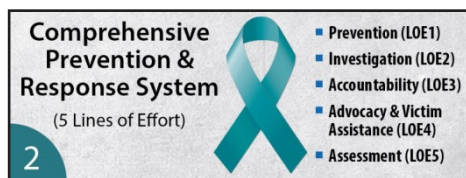
⁸ Dries, Kate, "Cee-Lo Green Pulled From Military Base Performance," *Jezebel*, Sept. 5, 2014, <http://jezebel.com/cee-lo-green-pulled-from-military-base-performance-1630961014>.

⁹ Macias, Amanda, "US Veterans Send Fox News An Open Letter About 'Boobs On The Ground' Joke," *Business Insider*, Sept. 27, 2014, <http://www.businessinsider.in/us-veterans-send-fox-news-an-open-letter-about-boobs-on-the-ground-joke/articleshow/43657166.cms>.

¹⁰ The term "first responder personnel" refers to Sexual Assault Response Coordinators, Sexual Assault Prevention and Response Victim Advocates, Special Victims' Counsel/Victims' Legal Counsel, medical and mental health personnel, law enforcement, military criminal investigators, legal personnel, chaplains, and more.

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

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



The Department's strategic approach to sexual assault is at the organizational level, the centerpiece of which is the ***Department of Defense Sexual Assault Prevention and Response Strategic Plan***, revised¹² and published in May 2013. The strategy provides a proactive and multi-disciplinary approach to achieve Department-wide unity of effort and purpose on sexual assault prevention and response across **five Lines of Effort**, as follows:

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

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

¹¹ See *Defense Equal Opportunity Climate Survey* (Feb. to Sept. 2014 results); *2014 Department of Defense Report of Focus Groups on Sexual Assault Prevention and Response*, available at Annex 3.

¹² The *Department of Defense Sexual Assault Prevention and Response Strategic Plan* was originally published in 2009.

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

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

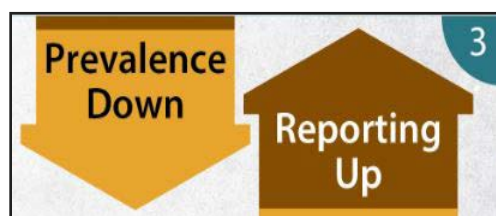
Major General Jeffrey J. Snow

Director

Department of Defense Sexual Assault Prevention and Response Office

May 1, 2014

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



Recent survey data suggest the percentage of Active Duty women who experienced unwanted sexual contact in the past year **declined from 6.1 percent in 2012 to 4.3 percent in 2014.**¹³ For Active Duty men, the rate of unwanted sexual contact stayed about the same, moving **from 1.2 percent in 2013 to 0.9 percent in 2014.** Although

the prevalence rates of sexual assault in the Department are showing a downward trend, even one sexual assault in the Armed Forces is one too many. The Department's goal is to intensify its prevention work to continue this progress in forthcoming years.

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

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

Increased Conversion Rate

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



The Department has consistently and steadily augmented the depth and breadth of its approach to the prevention of sexual assault. In 2014, the Department revised its prevention strategy with the assistance of the Military Services and the National Guard. The 2014-

2016 Department of Defense Sexual Assault Prevention Strategy provides a unified plan and purpose across the Department at all levels, and identifies commanders as the center of gravity for promoting prevention and safety.

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

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

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

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



Victim participation and engagement throughout the military justice process are key to maintaining good order and discipline within the Total Force, as well as holding offenders appropriately accountable. However, participating in criminal proceedings

can be exceedingly difficult for survivors, given that recalling memories about a sexual assault can sometimes be as traumatic as the crime itself. As a means to provide advice and advocacy, as well as empower victims to participate in the justice system, the Department created the groundbreaking Special Victims' Counsel/Victims' Legal Counsel Program.

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

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

Report of the Response Systems to Adult Sexual Assault Panel



The Survivor Experience Survey, fielded by the Defense Manpower Data Center, is the **first standardized and voluntary survey of sexual assault survivors conducted across all Department of Defense components** (Active Duty, Reserve, and National Guard). This

ongoing survey affords survivors an opportunity to provide direct and confidential feedback on their experiences throughout the reporting process. Topics addressed include: awareness of sexual assault resources and reporting options; use of and satisfaction with key first responder personnel; use of and satisfaction with sexual assault-related medical and mental health services; and leadership responses to sexual assault reports. Survey results offer essential insights into how the Department can

¹⁵ See Annexes 2 and 3.

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

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

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



The Department implemented several training enhancements, advanced certification requirements for first responders, and newly developed training expectations for Service members that impact every Line of Effort in the comprehensive sexual assault prevention and

response system. This deliberate professionalization of key sexual assault prevention and response personnel seeks to **develop and sustain a cadre of individuals armed with skills and a level of preparedness that meets or surpasses what is available in the civilian sector.**

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

- **Trauma-informed Interviewing Techniques:** Investigators assigned to Military Criminal Investigative Organizations¹⁷ from all Services/National Guard Bureau undergo training that provides agents with the knowledge and skills to better understand the fundamentals of neuroscience, trauma, and effective victim

¹⁶ The full report for the 2014 Survivor Experience Survey is included at Annex 2, and is based on preliminary findings from Quarter 4 of Fiscal Year 2014.

¹⁷ Army Criminal Investigation Command agents and Naval Criminal Investigative Service agents learn a technique called the Forensic Experiential Trauma Interview. Air Force Office of Special Investigation agents learn a technique called Cognitive Interviewing.

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

- **Professional Certification of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates:** As the personnel who interact most frequently with sexual assault victims, Sexual Assault Response

Coordinators and Sexual Assault Prevention and Response Victim Advocates offer a specialized skill set and expertise to assist victims and advocate on their behalf. Further, they advise commanders and

The special agent was great. He treated me with sensitivity, kept me informed about the steps the investigation would take and with witness interviews and then provided me a wrap-up.

Survivor regarding a Military Criminal Investigative Organizations agent

assist with sexual assault prevention and awareness training. The Department's Sexual Assault Advocate Certification Program ensures that regardless of a victim's location, he or she will have access to the same high-level standard of support. This professional certification signals to survivors that Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates have the requisite level of knowledge and training to assist victims in their recovery. **Since the program was launched in Fiscal Year 2012, over 22,000 Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates have been certified** in a process administered by the National Organization for Victim Assistance.

- **Advanced Training Course for Certified Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates:** The Department's Sexual Assault Prevention and Response Office and the Military Services/National Guard collaborated with the Department of Justice's Office of Justice Programs, Office for Victims of Crimes during 2013 to develop an advanced training course for Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates. The online course, Advanced Military Sexual Assault Advocate Training, provides advanced sexual assault victim advocacy skills training by leveraging gaming technology in an interactive, online environment designed specifically for a military audience.
- **Standardized Core Competencies and Learning Objectives:** The Department worked collaboratively to develop a set of core competencies and learning objectives to assure consistency and effectiveness in training at all command levels. Sexual Assault Prevention and Response content has been integrated into military training, as follows:

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



The Department continues to collaborate and communicate with a variety of entities to discuss strategies and share best and promising practices to inform and enhance its programs. These efforts include reaching out to reputable government and civilian experts,

as well as responding to requests in order to share knowledge and offer experience-based guidance. Leveraging partnerships and collaborations across these sectors provides significant advantages and allows the Department to remain at the cutting edge of the latest research and initiatives regarding sexual assault prevention.

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

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

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

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

Government Agencies/Organizations

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

Advocacy Organizations

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

Academia

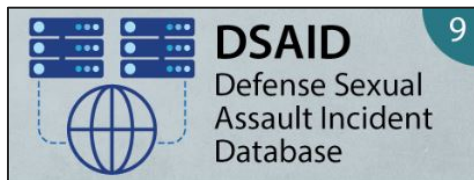
- Universities and colleges**
- Subject Matter Experts in various disciplines

Foreign militaries

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

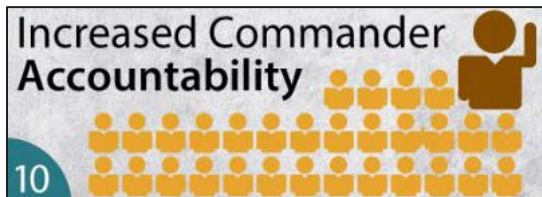
****Indicates organizations that have consulted with the Department of Defense to inform their respective programs or approach**

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



The Department created the Defense Sexual Assault Incident Database, a secure, web-based tool designed for reporting and case management of sexual assaults committed by or against Service members.¹⁸ The database captures case

information entered by Military Service and National Guard Sexual Assault Response Coordinators about both Restricted and Unrestricted sexual assault reports, enhances a Sexual Assault Response Coordinator's ability to provide comprehensive and standardized victim case management, enables authorized legal officers to enter and validate case disposition data, supports Service Sexual Assault Prevention and Response program management, provides improved oversight of how sexual assault cases are managed, and enables the Department to meet Congressional reporting requirements. Since October 2013, all Military Services and the National Guard are utilizing this innovative product.



Military commanders are responsible for establishing a command climate that promotes honor, discipline, respect, and integrity, all of which are core values of the United States military and fundamental components of the Department's effort to reduce – with the intent

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

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

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

- ***The Defense Equal Opportunity Management Institute Organizational Climate Survey:*** This important assessment tool for commanders provides feedback from unit members to enhance a leader's knowledge about specific trends and behaviors within his or her unit, and provides an avenue for them to confidentially communicate concerns. Commanders leverage results to drive unit change, employing Service member feedback to address inappropriate actions, as necessary.
- ***Senior Leader Involvement:*** Results from the climate survey are automatically shared with the unit commander's immediate supervisor. Unit commanders are responsible for using survey results and additional information gathering activities to address any challenges facing the unit.
- ***Officer Evaluation Reports:*** Senior leaders rate unit commanders on their actions to address unit climate. By incorporating commanders' response into their performance reviews, commanders are accountable for promoting a climate of dignity and respect. Given that sexual assault is less likely when sexist behavior and sexual harassment are less prevalent in a unit, the climate assessment process has the promise to produce substantive organizational change within the Department.

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

Metrics Overview

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

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

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

Military Justice System Review

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

- The military justice system has undergone massive change over the past three fiscal years, resulting in the most sweeping revisions since 1968
- As a result, the system is better able to investigate and try sexual assault cases in a fair and just manner, while better protecting victims' privacy interests
- The military justice system can be further improved, and additional reforms will be implemented
- The Department agrees with the conclusion of the Response Systems Panel¹⁹ that future reforms should **not** include transferring prosecutorial discretion from commanders to judge advocates - a move that would likely not only degrade mission readiness, but also diminish commanders' effectiveness in the fight against sexual assault in the military

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

Conclusion and Way Ahead

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

The crime of sexual assault is a detriment to the welfare of men and women in uniform and is antithetic to core military values of trust, dignity, and respect. Combatting this crime requires

sustained effort and resolve, coupled with a multidisciplinary approach across the five Lines of Effort. With an increased focus on prevention and steadfast commitment to excellence in support and care for victims,

The Department needs to be a national leader in preventing and responding to sexual assault. We are committed to lead the daughters and sons of the American people with the values of our honorable profession and to ensure they serve in an environment that is free from sexual assault and protects the dignity and respect of every Service member.

*Chuck Hagel
United States Secretary of Defense
May 6, 2013*

the Department has demonstrated significant progress in its mission to eradicate sexual assault from the Armed Forces. However, additional research and evaluation are necessary in order to refine and optimize existing approaches, as well as build on successes, positive trends, and insightful feedback to discover opportunities for improvement.

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