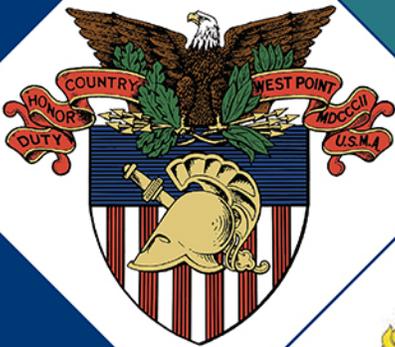




Annual Report on Sexual Harassment and Violence at the Military Service Academies

Academic Program Year 2014-2015





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

JAN 06 2016

The Honorable John McCain
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

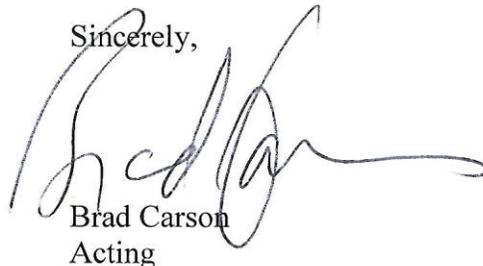
Section 532 of National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) requires an annual report during each Academic Program Year (APY) on the effectiveness of the policies, training, and procedures of each Military Service Academy (MSA) with respect to sexual harassment and violence involving Academy personnel.

The enclosed "Annual Report on Sexual Harassment and Violence at the MSAs, APY 2014-2015" provides observations and action items, based on the Department's onsite visits to the MSAs. The report also includes data and analysis on reported cases of sexual harassment and assault involving Academy personnel occurring between June 1, 2014 and May 31, 2015. The Defense Manpower Data Center's "2015 Service Academy Gender Relations Focus Group Report" is a part of this year's report and is also enclosed.

During the onsite assessments, the Department learned of several promising practices at the Academies to establish climates of dignity and respect, to combat sexual harassment and sexual assault, and to care for victims. The Department believes the Academies progressed in APY 14-15 in their abilities to prevent and respond to sexual harassment and assault. The Department of Defense expects the MSAs to continue to progress and work towards implementing all past and new initiatives.

I am sending a similar letter, with the Department's report, to the Chairman of the House Committee on Armed Services.

Sincerely,



Brad Carson
Acting

Enclosures:
As stated

cc:
The Honorable Jack Reed
Ranking Member



PERSONNEL AND
READINESS

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

JAN 06 2016

The Honorable William M. "Mac" Thornberry
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

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Sincerely,

Brad Carson
Acting

Enclosures:
As stated

cc:
The Honorable Adam Smith
Ranking Member



*Department of Defense
Annual Report on Sexual Harassment and Violence at the Military Service
Academies, Academic Program Year 2014-2015*

The estimated cost of report or study for the Department of Defense is approximately \$1,263,000 in Fiscal Years 2015-2016. This includes \$902,000 in expenses and \$361,000 in DoD labor.

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Introduction

The Department of Defense (DoD) has oversight of the Military Service Academies' (MSA) programs to address sexual harassment and sexual assault. Section 532 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) requires an assessment at the MSAs during each academic program year (APY). This assessment determines the effectiveness of the Academies' policies, training, and procedures regarding sexual harassment and sexual violence involving Academy personnel at the:

- United States Military Academy (USMA);
- United States Naval Academy (USNA); and
- United States Air Force Academy (USAFA).

The Department conducts onsite assessments at the MSAs for the reports beginning with even-numbered APYs, as is the case with this report. The Defense Manpower and Data Center (DMDC) conducts *Service Academy Gender Relations (SAGR) Focus Groups* in support of the reports beginning with even-numbered APYs as well. The focus group topics include perceptions about unwanted sexual contact (USC)ⁱ and perceived sexual harassment, reporting, retaliation for reporting sexual assault, the role of social media in retaliation, perceptions of leadership emphasis on sexual assault prevention and response (SAPR), issues involving athletes and teams, and culture with respect to sexual harassment and sexual assault. The onsite assessment observations, focus group findings, sexual harassment and sexual assault reporting data, and the Academies' responses to the

Department's data call consisting of the MSAs' policies, trainings, and Secretary of Defense initiative responses informed the observations in this report. This report also determines the MSAs' compliance status with applicable Department policy and the Services' policies on sexual harassment and sexual assault. The reports beginning with even-numbered APYs also determine the Academies' completion status of the Secretary of Defense initiatives and action items from past reports. Each MSA's compliance determination and completion status of initiatives can be found in Appendices A-C of this report.

This year's report provides action items and promising practices the Department encourages the MSAs to consider adopting. Action items are initiatives the MSAs may adopt to address areas for improvement observed at all three Academies.

DoD reports for the APYs beginning in odd-numbered years, as was the case with last year's report, includes an Academy self-assessment and an anonymous survey of cadets and midshipmen conducted by DMDC. The MSAs' self-assessments provide updates on their activities to meet the requirements of Secretary of Defense initiatives and action items the Department provided in previous reports. The survey, the biennial DMDC *SAGR Survey*, covers topics such as incidence of USC and sexual harassment, reporting and training, and characteristics of the unwanted sexual and gender-related behaviors. The reports beginning with odd-numbered APYs determine completion status of the Secretary of Defense initiatives and previous action items and discuss the survey results.

Executive Summary

The Academies' programs comply with Department and Service policies regarding sexual harassment and sexual assault prevention and response. Eliminating sexual harassment and sexual assault are top priorities for Academy leadership, resulting in high functioning programs that progress each year in meeting the Department's action items and initiatives. The Department observed that leadership, at all levels, work to establish a climate of dignity and respect where sexual harassment and sexual assault are not tolerated, ignored, or condoned. The Department believes the Academies progressed in academic program year 2014-2015 in their abilities to prevent and respond to sexual harassment and sexual assault.

The Department observed several promising practices at the Academies that will have lasting impacts on cadet and midshipmen's understanding of appropriate behavior as members of the Armed Forces. For example, the Superintendent of the United States Military Academy solicits feedback and concerns by holding sensing sessions with cadets on a monthly basis. The United States Naval Academy employs a code of conduct contract, signed by all teams, clubs, and their coaches. With this contract, athletes and coaches vow to abide by expected behavior standards and to represent the Academy in the best possible manner. The United States Air Force Academy's Athletic Department hosts regular, informal sessions where intercollegiate teams speak with officer mentors and the sexual assault response coordinator about dating and healthy relationships.

These are just a few examples of the initiatives that fall within the Academies' sexual harassment and sexual assault prevention and response programs. The Academies' programs meet or exceed recommendations made by the White House's Task Force to Protect Students from

Sexual Assault. The Department and the MSAs have much more to do in their battle against sexual harassment and sexual assault, but the recommended practices from the White House Task Force are benchmark components of the Academies' and the Department's programs.

This report highlights several promising practices from each Academy as suggested enhancements that the Department encourages the other Academies to consider adopting as well. The Department also observed areas for improvement that exist at all of the Academies and provides action items in this report to address these areas.

Sexual Harassment

The Academies received a total of 28 sexual harassment complaints during academic program year 2014-2015, up from 20 complaints in the last academic program year. The 28 complaints of sexual harassment included 11 formal complaints and 17 informal complaints. The United States Military Academy received 7 formal complaints, the United States Naval Academy received 13 informal complaints, and the United States Air Force Academy received 4 formal and 4 informal complaints.

Sexual Assault

In accordance with the assessment procedures previously noted, a survey to estimate past year prevalence of sexual assault was not conducted this year. However, last year's survey results indicated that rates of sexual assault at the Academies had decreased significantly for women and trended downward for men, when compared to rates measured in April 2012. A survey to update estimated prevalence rates will be conducted in the spring of 2016.

This year the Military Service Academies received a total of 91 reports of sexual assault, an increase of 32 reports over the reports received in academic program year 2013-2014. However, most of the change in reporting occurred at the United States Air Force Academy. This year, sexual assault reporting at the Air Force Academy returned to levels seen in previous Academic Program Years.

The 91 reports received by the three Academies included 54 Unrestricted Reports and 37 Restricted Reports. Eight reports of sexual assault were for incidents prior to military service. The United States Military Academy received 17 reports (15 Unrestricted and 2 Restricted Reports), the United States Naval Academy received 25 reports (12 Unrestricted and 13 Restricted Reports), and the United States Air Force Academy received 49 reports (27 Unrestricted and 22 Restricted Reports). The Academies' detailed reporting data from academic program year 2014-2015 and an analysis of these data are found in Appendices D and E of this report.

Observations and Action items

The Department noted evidence of progress at all three Military Service Academies. The Department's onsite assessment and focus groups found improvements in overall response program execution, innovative efforts to encourage climates of dignity and respect, incorporation of prevention principles into leadership development, and engagement of cadets and midshipmen to help solve the problems of sexual harassment and sexual assault. This report illustrates these and other areas of progress, and also provides action items and suggested enhancements for the Academies to consider adopting. This report is organized by overarching observations made by the Department during the onsite assessments and review of data call submissions. The suggested enhancements and action items in this report are intended to help the

Academies' programs continue to progress each year.

Sexual Harassment Prevention and Response

The behaviors that constitute sexual harassment do not often rise to the level of criminal behavior. Such behavior is nonetheless disturbing and disruptive to the target of this unwanted attention. Response to sexual harassment may be as simple as telling the alleged harasser that his/her behavior is unacceptable or as multifaceted as involving an investigation and the military justice system. The formal and informal response processes required by Department policy provide military members the opportunity to resolve sexual harassment at the lowest level. The Department offers a variety of resources to those members who do not want to directly confront the alleged harasser and/or prefer assistance in resolving the matter. While sexual harassment is quite different from sexual assault, research suggests that efforts taken to prevent sexual harassment may have the added benefit of preventing sexual assault as well.

The Department observed that the Academies' sexual harassment prevention and response efforts have not received the same amount of emphasis as their sexual assault prevention and response programs. Participants in the *2015 Service Academies Gender Relations Focus Groups* indicated that the sexual harassment prevention and response programs are not emphasized to the extent the sexual assault prevention and response programs are at the Academies. Military research has consistently identified a strong positive correlation between the occurrence of sexual harassment in a military unit and the occurrence of sexual assault within the unit. The Department identifies the following for the Superintendents action:

- Provide more direct supervision to the Equal Opportunity Office and sexual harassment training/education efforts; and

- Strengthen sexual harassment prevention and response efforts.

Sexual Assault Response

The Department found that each Academy has thorough and comprehensive programs with several promising practices to respond to sexual assault that go beyond the requirements in Department policy. This report highlights several of these promising practices as suggested enhancements. The suggested enhancements for the Academies to consider adopting are:

- Ensure sexual assault response phone systems have redundancy to ensure prompt victim care; and
- Develop sexual assault procedures for representatives leading off-campus activities.

The Department provides action items that are intended to ensure that the Academies' response systems continue to function as required by Department standards and policies. These action items are:

- Continue efforts to improve sexual assault reporting by cadets and midshipmen;
- Make available and require use of government-provided means to communicate with and transport victims to the hospital and other appointments;
- Enhance feedback to cadets and midshipmen by using case studies that represent the broad range of sexual assault case outcomes; and
- Provide military officers, in the chain of command overseeing cadets and midshipmen, a clear case status during case management group meetings to fulfill their responsibility of updating the victim.

Program Assessment

The Academies have yet to identify their own metrics to measure program progress, which is necessary to track progress of these programs. The Academies have the

opportunity to set national standards for collegiate programs to address sexual harassment and sexual assault, and the Department's suggested enhancement and action item will assist with this task.

The Department identifies the following for action:

- Adapt the Department's sexual assault prevention and response metrics to create Academy program metrics.

The suggested enhancement for the Academies to consider adopting is:

- Use formalized sensing sessions with cadets and midshipmen to capture feedback.

Character Development

The Academies continue to take a variety of steps to address character development throughout their academic, athletic, and military training programs. The Department learned of several promising character development practices at the Academies. The Department encourages all three Academies to consider adopting these suggested enhancements, which are:

- Examine cadet and midshipman social media footprints and promote appropriate online behavior;
- Adopt code of conduct contract for sports teams, clubs, and coaches; and
- Use sports teams and clubs as agents of change to promote healthy relationships.

White House Task Force Recommendations

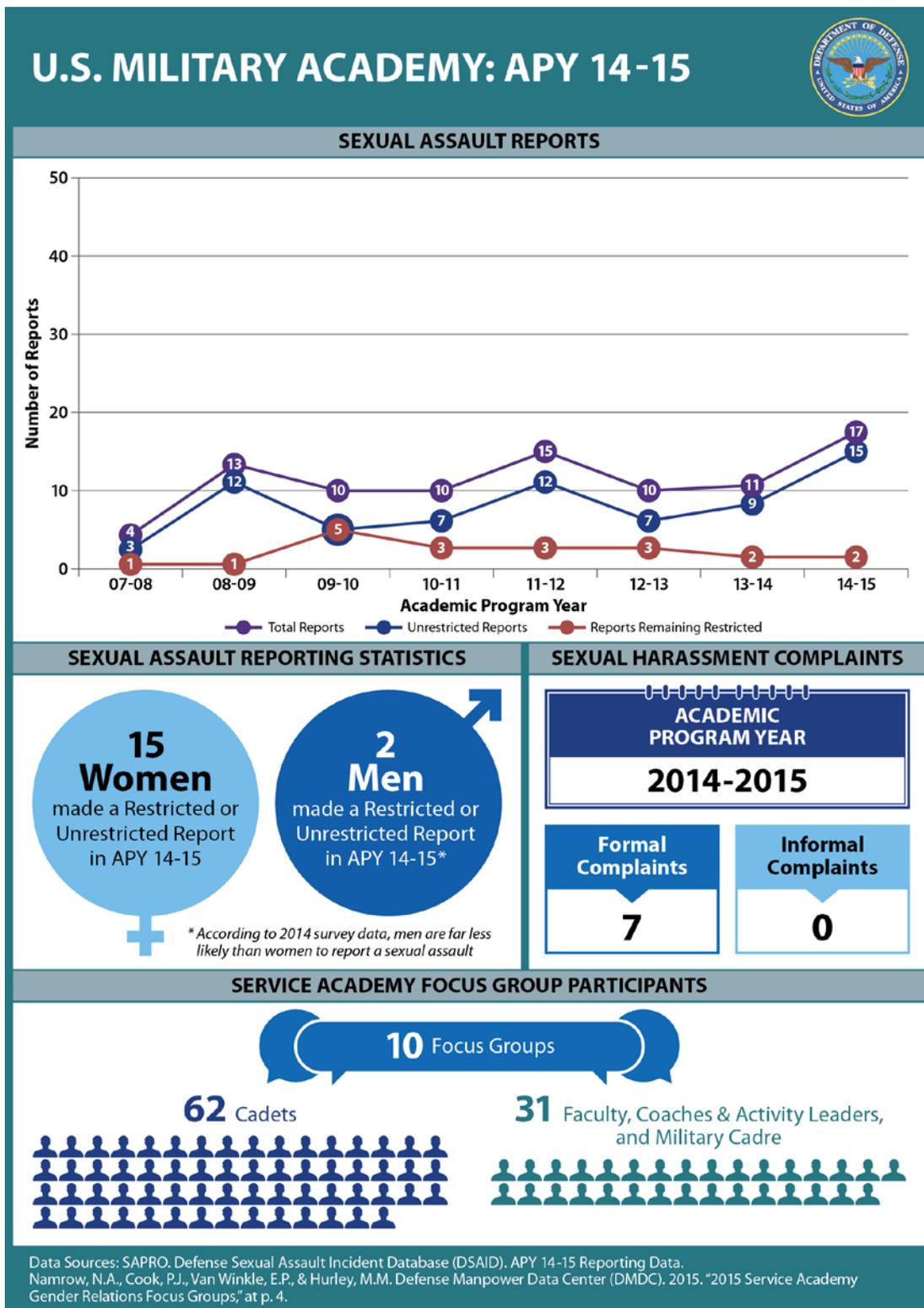
The President established the White House Task Force to Protect Students from Sexual Assault to strengthen federal enforcement efforts and provide schools with additional tools to help combat sexual assault on their campuses. The Task Force released its first set of action steps and recommendations in the report, *Not Alone*:

The First Report of the White House Task Force to Protect Students from Sexual Assault in April 2014.ⁱⁱ Several of the Department's sexual assault program components were leveraged as benchmark practices in the White House report.

In sum, the Academies are building a climate where cadets and midshipmen are

empowered and trained to prevent sexual harassment and sexual assault. In addition, the Academies have mature response systems to support victims throughout the military justice process. Cadet and midshipman partnership in prevention and response efforts is essential to the overall Department-wide effort to reduce, with a goal to eliminate, sexual assault in the military.

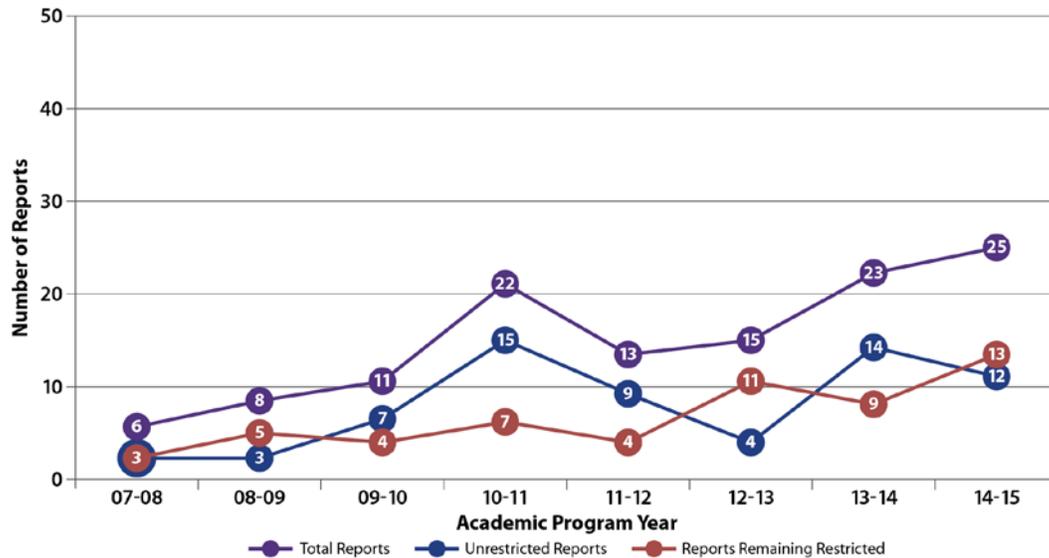
Spotlight: APY 14-15 Data



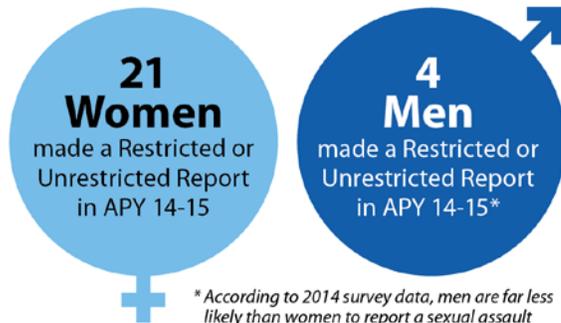
U.S. NAVAL ACADEMY: APY 14-15



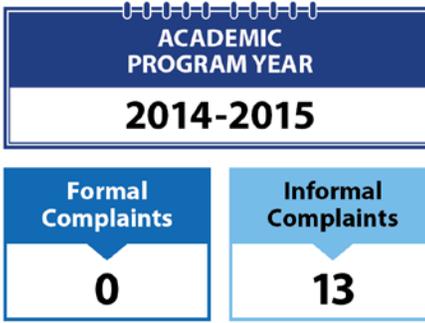
SEXUAL ASSAULT REPORTS



SEXUAL ASSAULT REPORTING STATISTICS



SEXUAL HARASSMENT COMPLAINTS



SERVICE ACADEMY FOCUS GROUP PARTICIPANTS

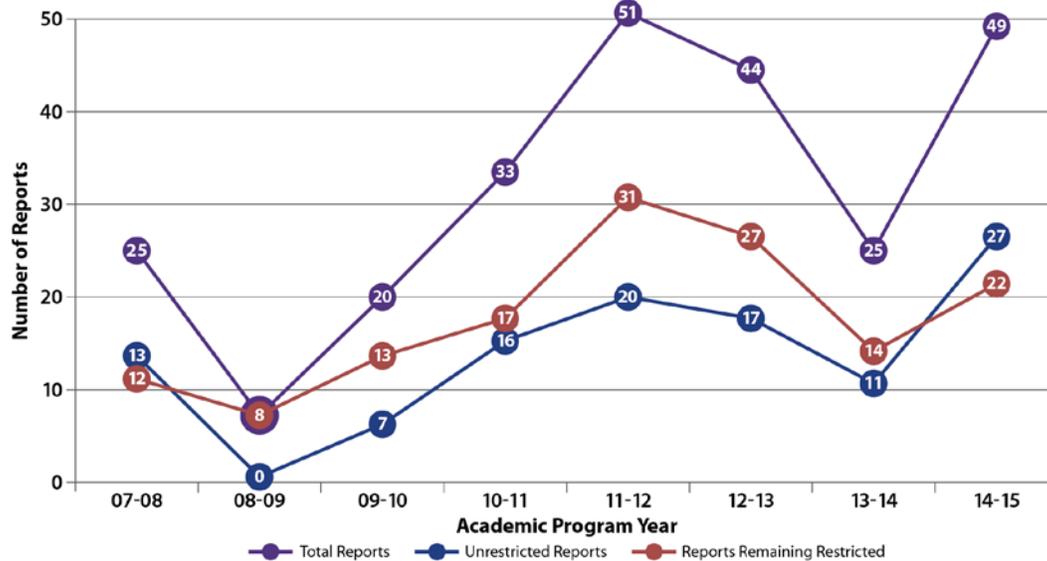


Data Sources: SAPRO, Defense Sexual Assault Incident Database (DSAID), APY 14-15 Reporting Data. Namrow, N.A., Cook, P.J., Van Winkle, E.P., & Hurley, M.M. Defense Manpower Data Center (DMDC). 2015. "2015 Service Academy Gender Relations Focus Groups," at p. 4.

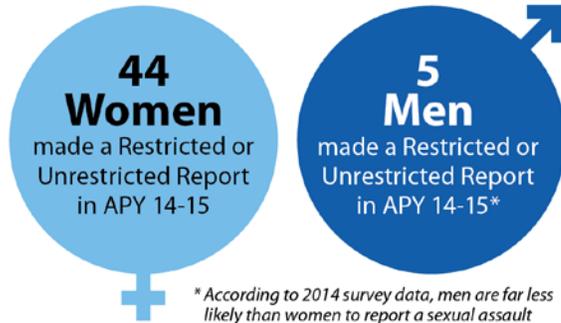
U.S. AIR FORCE ACADEMY: APY 14-15



SEXUAL ASSAULT REPORTS



SEXUAL ASSAULT REPORTING STATISTICS



SEXUAL HARASSMENT COMPLAINTS



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Observation One: Sexual Harassment Prevention and Response Programs Should Receive Greater Emphasis

What We Observed

The Department observed that the MSAs' sexual harassment prevention and response efforts have not received the same amount of emphasis as their SAPR programs. Academy training was not providing adequate information for cadets and midshipmen to understand the complaint process, not tailored for each class year, and not provided with sufficient frequency at the Academies.

Participants in the *2015 SAGR Focus Groups* indicated that the sexual harassment prevention and response programs are not emphasized to the extent the SAPR programs are at the MSAs. The Department believes that each MSA could benefit from reviewing its approach to sexual harassment prevention and response and improving integration of such activities with sexual assault prevention.

The Department learned of the following practices through interviews with staff at each MSA.

USMA

The Department of Army is unique among the Services in that it has combined sexual harassment and sexual assault programs into the Sexual Harassment/Assault Response and Prevention (SHARP) Program. Headquarters, Department of the Army Execution Order 221-2012 requires that Army sexual assault response coordinators (SARC) and victim advocates (VA) handle sexual harassment complaints. All seven sexual harassment complaints reported at USMA during APY 14-15 originated in the Equal Opportunity (EO) Office. These reporters were then referred to the SARC to make a

complaint. While those seeking assistance eventually arrived at the correct resource, this illustrates that cadets do not fully understand the responsibilities of the SARC and EO Advisor. The training curriculum delivered to the U.S. Corps of Cadets (USCC) by members of the Cadets Against Sexual Harassment/Assault (CASHA) program is still under development. Consequently, the emphasis that sexual harassment receives in the program could not be determined.

USNA

Peer educators deliver the Sexual Harassment and Assault Prevention Education training program at USNA throughout the APY to midshipmen in groups of about 30. A Fleet Mentor (E-7 or above) is present during training sessions to provide additional guidance, clarification, and insight into how such matters are dealt with on active duty. SAPR and Command Managed Equal Opportunity (CMEO) staff select and train the midshipmen peer educators during a 2-week session each summer. The CMEO also briefs the Brigade of Midshipmen on sexual harassment policies, guidance, and resources twice a year, and the Department observed that the USNA CMEO was working hard to ensure midshipmen received required sexual harassment training. This training is normally given by class year in a large group setting. The content of this training session, however, is essentially identical from year to year. The Department found no evidence that the midshipmen were learning progressively refined sexual harassment prevention concepts and methods throughout their 4 years at USNA. This kind of progressive learning approach would likely reduce the Department's concern of message fatigue and improve midshipman participation.

USAFA

The 10th Air Base Wing (ABW) EO Office provides sexual harassment prevention training to the permanent party at USAFA but does not provide any awareness campaigns or training for cadets. The EO Office is responsible for receiving complaints of sexual harassment from both cadets and permanent party personnel. Sexual harassment prevention and response training for cadets falls within Human Relations Training and Education (HRT&E) department. All first year cadets receive 1 hour of training on EO and filing sexual harassment complaints. The Department observed, however, that sexual harassment prevention and response training after a cadet's first year is extremely limited, and the number of lesson topics have decreased in recent years. Cadets receive no training on gender socialization or diversity management, for example. HRT&E falls under the Academy Commandant, and the EO office operates under the 10th ABW, complicating the coherence of sexual harassment prevention and response.

Rationale for Action Items

Military research has consistently identified a strong positive correlation between the occurrence of sexual harassment in a military unit and the occurrence of sexual assault within the unit.ⁱⁱⁱ It identifies several factors that significantly increase the likelihood of sexual assault within a unit: if the climate is one that is hostile to women (e.g., demeaning, objectifying) the risk of sexual assault increases; leaders initiating or allowing demeaning comments or gestures toward women also increases the risk of sexual assault. The conclusion of this and other research is that there is a strong positive correlation between the frequency of sexual harassment and gender discrimination in a military unit and the occurrence of sexual assault within the unit. The *2014-2016 DoD Sexual Assault Prevention Strategy* recognizes the relationship between sexual harassment and sexual assault and calls on

military leaders to create climates of mutual respect and dignity where sexual harassment and sexual assault are not ignored, tolerated, or condoned.^{iv}

The *2014 SAGR Survey*, conducted by the DMDC, found that approximately half (48%) of DoD Academy women indicated perceiving sexual harassment, which is a statistically significant decrease from 2012.^v The overall decrease in perceived sexual harassment prevalence for female cadets and midshipmen, however, stems from a large decline in prevalence for Naval Academy women. Approximately 10% of Academy men indicated perceiving sexual harassment, and this rate is unchanged from 2012.^{vi} A significant number of cadets and midshipmen still perceive experiencing sexual harassment despite the drop of perceived sexual harassment by Naval Academy women.

While sexual harassment is quite different from sexual assault, research suggests that efforts taken to prevent sexual harassment may have the added benefit of preventing sexual assault as well.

Action Items

Superintendents directly supervise the EO Office and sexual harassment training/education efforts

The Academy Superintendents should provide more direct supervision over their EO offices. The Academies' SAPR programs report directly to the Superintendent, and the Department is impressed by the level of attention the SAPR programs receive. More attention from the Superintendents will emphasize the important role that the sexual harassment programs play in establishing climates of dignity and respect at the Academies.

Strengthen sexual harassment prevention and response efforts

The MSAs should review their sexual assault prevention efforts, including training, to find

appropriate venues to integrate sexual harassment prevention. Each Academy should review its Service materials and the *2014-2016 DoD Sexual Assault Prevention Strategy*.

The MSAs should enhance their sexual harassment curriculum to ensure cadets and midshipmen understand the complaint process, to tailor the material for each class year, and to provide it at sufficient frequency.

Observation Two: Aspects of Sexual Assault Response Should be Improved

What We Observed

The Department found that each MSA has thorough and comprehensive programs with several innovative victim care initiatives that exceed the requirements in DoD policy. The action items that the Department provides below are intended to ensure that the Academies' response systems continue to function as required by DoD standards found in Secretary of Defense initiatives, Defense Sexual Assault Advocate Certification Program (D-SAACP) Code of Ethics, and DoDI 6495.02.

The MSAs' response systems empower victims and facilitate recovery (see Figure 1). The objective of these systems is to deliver consistent and effective victim support, response, and reporting options. The end state is to provide high quality services and support, to instill confidence and trust, strengthen resilience, and inspire victims to report.



Figure 1: DoD Victim Response System

The MSAs received 91 reports in APY 14-15 of sexual assault, which reflects an increase of 32 reports from APY 13-14. The subsequent tables below present each MSA's reporting numbers since APY 11-12. Figure 2 presents the MSAs' reporting trends since APY 07-08. All three MSAs experienced an

increase in reporting from the last APY. In addition, in APY 14-15, 7 Restricted Reports converted to Unrestricted Reports.

Eight of the 91 reports received were for a matter that occurred prior to military service. The Department views such reports as an indicator of confidence in the sexual assault response system and the support services available to cadets and midshipmen.

Suggested Enhancement:
Ensure sexual assault response phone systems have redundancy to ensure prompt victim care.

USNA and USAFA should consider establishing a redundancy with their 24-hour SAPR response telephones.

The Department also observed several promising practices to assist victims at the MSAs. The West Point SHARP team consists of four SARCs each aligned to the Garrison Command (USMA), USCC, Keller Army Community Hospital (KACH), and the U.S. Military Academy Preparatory School (USMAPS); and three VAs each aligned to KACH, USMA, and USMAPS. This community works together to provide support to victims as needed. Each of the SARCs from the three major commands takes turns carrying the two phones for the USMA 24-7 SHARP Hotline. If the on-call SARC is unable to answer the phone, the call will be automatically forwarded to the next SARC to pick up and provide assistance. This redundancy ensures that victims are able to reach a SARC or VA whenever they call and receive responsive care.

USNA's SAPR Office created an incident checklist for individuals who lead off-campus Academy activities to ensure continuity of care for all midshipmen. These procedures guide the leader through the appropriate steps should an incident of sexual assault be disclosed to them during an off-campus

activity. It also provides telephone numbers for the DoD Safe Helpline and USNA's SAPR response line. The incident checklist helps to ensure that victim support and services are

maintained even if the incident occurs off-campus.

Suggested Enhancement:
Develop sexual assault procedures for representatives leading off-campus activities.

The Department encourages USMA and USAFA to consider developing sexual assault procedures for Academy representatives leading off-campus activities. Victim care must meet the same standard regardless of where an incident occurs.

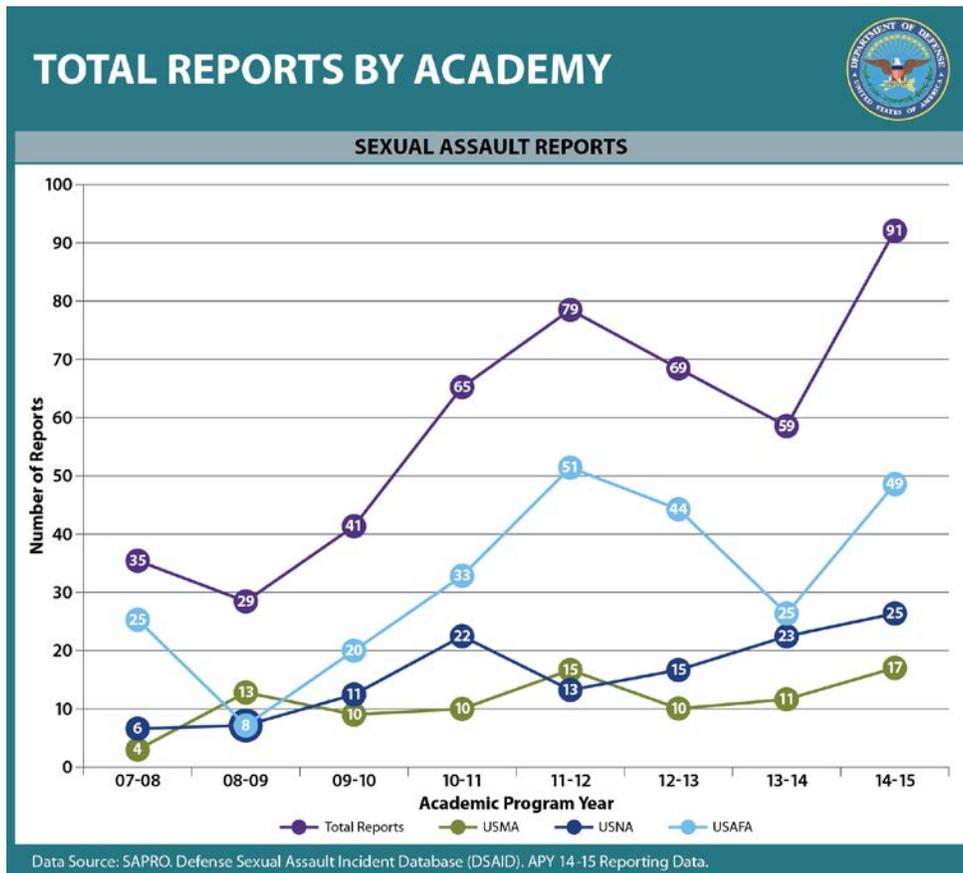


Figure 2: Reports of Sexual Assault by Academy, APY 07-08 to 14-15

Table 1: USMA Sexual Assault Reporting APY 11-12 to APY 14-15

| Academic Program Year | Total Reports | Unrestricted Reports | Restricted Reports |
|-----------------------|---------------|----------------------|--------------------|
| 2014-2015 | 17 | 15 | 2 |
| 2013-2014 | 11 | 9 | 2 |
| 2012-2013 | 10 | 7 | 3 |
| 2011-2012 | 15 | 12 | 3 |

Table 2: USNA Sexual Assault Reporting APY 11-12 to APY 14-15

| Academic Program Year | Total Reports | Unrestricted Reports | Restricted Reports |
|-----------------------|---------------|----------------------|--------------------|
| 2014-2015 | 25 | 12 | 13 |
| 2013-2014 | 23 | 14 | 9 |
| 2012-2013 | 15 | 4 | 11 |
| 2011-2012 | 13 | 9 | 4 |

Table 3: USAFA Sexual Assault Reporting APY 11-12 to APY 14-15

| Academic Program Year | Total Reports | Unrestricted Reports | Restricted Reports |
|-----------------------|---------------|----------------------|--------------------|
| 2014-2015 | 49 | 27 | 22 |
| 2013-2014 | 25 | 11 | 14 |
| 2012-2013 | 44 | 17 | 27 |
| 2011-2012 | 51 | 20 | 31 |

Given the Department's goal to increase reporting of sexual assault, DoD is encouraged by the increased number of reports received by the MSAs. However, the Academies must continue their efforts to prevent sexual assault.

Several areas of concern were identified in the findings from the *2015 SAGR Focus Groups* that present potential barriers to reporting. Cadet and midshipman participants in the focus groups highlighted several reasons why some at the Academies may be reluctant to report, including: fear of gossip and peer repercussions; skepticism from peers; concern about being punished for collateral misconduct associated with the report; presumed punishment for alleged offenders may not be severe enough to warrant reporting; and mistrust and fear of the reporting process.

The SAPR programs at the MSAs also have noted areas for improvement that the Department addresses in action items below. The USNA SAPR GUIDEs (Guidance, Understanding, Information, Direction, Education) use sexual harassment and sexual assault case studies, called XYZ cases, as a training tool to increase transparency into the sexual assault response systems and understanding of policies. The training program, while promising, only presented XYZ cases wherein the alleged offenders were convicted and did not reflect the full range of possible outcomes to allegations in the military justice system, such as the outcomes presented in the case attrition exhibit found on page 9 in Appendix D (Exhibit 2). DoD is concerned that the XYZ cases do not address the potential barriers to reporting found in the focus groups if the full range of possible outcomes to allegations are not discussed.

The Department observed at the onsite assessments the need to ensure that SARCs and SAPR VAs use government-provided means to communicate with and transport victims at all three MSAs. SARCs and SAPR

VAs also require 24-hour access to government-provided vehicles to transport victims to the hospital and other appointments. SARCs and SAPR VAs maintain healthy boundaries when they use government-provided means to interact with and support victims.

DoD observed that military officers within the chain of command overseeing cadets and midshipmen were not regularly receiving sufficient updates on the status of victims' Unrestricted Report cases. Victims' immediate commanders at USMA were not receiving case updates at the USMA Sexual Assault Review Board (the Army's nomenclature for a case management group (CMG)). They noted, however, that they were very involved with the overall well-being of their cadets. Victims' immediate commanders are individually called in to USNA's Sexual Assault Case Management Group (SACMG) to brief on how victims are doing but do not receive case status updates from the other SACMG attendees. The Department also observed that victims are given the option of receiving case status updates from the SACMG from either the Superintendent or the SARC. USAFA cadet commanders said they were not receiving a clear, concise update at the CMG.

Rationale for Action Items

Increasing reporting at the MSAs is a top priority for the Department. The Secretary of Defense directed the Superintendents, in collaboration with Under Secretary of Defense for Personnel and Readiness and their respective Military Department SAPR offices, to assess their Academy climates and develop a plan to promote greater reporting.^{vii}

The Department policy is to ensure that Service members, including cadets and midshipmen, receive professional care from a SARC and SAPR VA once they decide to make a report of sexual assault. The D-SAACP Code of Professional Ethics states that SARCs and SAPR VAs must maintain

high personal and professional standards as service providers and advocates for victims.

Enclosure 10 of DoDI 6495.02 states that SAPR training for all Service members, including cadets and midshipmen, must include updates to military justice that impact victims.^{viii} Including these updates in training will assist with cadets and midshipmen's understanding of the sexual assault response system.

Commanders play a key role in the Department's sexual assault response system. Every installation is required to conduct monthly CMG meetings to review Unrestricted cases, facilitate monthly victim updates, and direct system coordination, accountability, and victim access to quality services. Installation commanders or their deputies are required to chair the CMG.^{ix} The Superintendent chairs the CMG meetings at each MSA. A required objective of these monthly meetings is to determine the status of each Unrestricted case for commanders to share with victims.

Action Items

Continue efforts to improve sexual assault reporting by cadets and midshipmen

Sexual assault is an underreported crime. This means that sexual assault reports to law enforcement fall far short of the number of sexual assaults estimated to occur each year using scientific surveys. Academy efforts to emphasize character development to create a culture that prevents sexual assault are described in Observation Four.

While sexual assault remains an underreported crime, Department policy encourages greater reporting of sexual assault by cadets and midshipmen. Policies to increase reporting were enacted to better connect victims with support services and needed care. Reporting by victims is also the only means by which alleged offenders may be identified and held appropriately accountable.

All three MSAs should continue developing plans to further increase cadet and midshipman reporting. As highlighted by this year's focus group participants and prior years' surveys, efforts to improve a reporter's confidentiality and privacy may yield the best results.

Make available and require use of government-provided means to communicate with and transport victims to the hospital and other appointments

All SARCs and SAPR VAs should be provided with and required to use government means to communicate with and transport victims in order to maintain the level of professional behavior that is outlined in the D-SAACP Code of Ethics. Professional victim service will instill trust in the MSAs' sexual assault response system.

SARCs and SAPR VAs should only use government-provided email and phones to speak with victims and should not disclose their personal telephone numbers or email addresses.

Enhance feedback to cadets and midshipmen by using case studies that represent the broad range of SAPR case outcomes

The Department believes that the MSAs should discuss possible outcomes to allegations, in order to set reasonable expectations of the strengths and limitations of the military justice system and assist with meeting requirements outlined in Enclosure 10 of DoDI 6495.02. These case studies will combat skepticism that many cadets and midshipmen have toward sexual assault reporters because the cases will provide an opportunity for cadets and midshipmen to learn that an acquittal or an unfounded case does not necessarily mean that a false report was made.

Provide military officers, in the chain of command overseeing cadets and midshipmen, a clear case status during CMG meetings to fulfill their responsibility of updating the victim

The MSAs use military officers as commanders. Military officers in the chain of command overseeing cadets and midshipmen should receive a clear, concise

case status update at the CMG to share with victims. Enclosure 9 of DoDI 6495.02 requires commanders within the victims' chain of command to provide updates to the victim following the CMG.^x The commanders must be invited to the CMGs and receive updates from all attendees, whenever possible, in order for commanders to accomplish this requirement.

Observation Three: MSAs Have Not Identified Metrics for Program Assessment Efforts

What We Observed

The Academies have yet to identify their own metrics to measure program progress. Capturing and communicating the overall health of the Academies' sexual harassment prevention and response and SAPR programs are complex undertakings, but necessary to track progress of these programs. The MSAs have the opportunity to set national standards for collegiate programs to address sexual harassment and sexual assault.

Suggested Enhancement:
Use formalized sensing sessions with cadets and midshipmen to capture feedback

DoD encourages USNA and USAFA to consider employing USMA's sensing session model to gain feedback from cadets and midshipmen as part of the Academies' assessment efforts.

The MSAs may not have metrics in place but have developed ways to solicit informal feedback on command climate issues. USMA's Superintendent holds sensing sessions with cadets on a monthly basis to obtain feedback about the command climate, to discuss the SHARP program, and to hear concerns, while

providing cadets insights into his strategic views and issues. This is a unique method to gain bottom-up, qualitative feedback from cadets on how the SHARP program is working and to determine if the military's future leaders are gaining the skills they will need as officers.

Rationale for Action Item

There is no national standard by which to judge the effectiveness of programs to

address sexual harassment and sexual assault. Over the past several years, however, the Department has worked to identify a number of indicators of program progress. These indicators combine the findings of scientifically conducted surveys, data from sexual assault reports, outcomes of the military justice process, and other forms of research to provide an overall picture of how well the Department's programs are functioning to prevent and respond to sexual assault in the military population.

The Services have been employing metrics and non-metrics^{xi} developed for the Department's 2014 *Report to the President of the United States on Sexual Assault in the Military*, which have become the standards the Department uses to determine program progress. The table on the following pages lists all of the DoD metrics and non-metric descriptions and explains what they capture.

Action Item

Adapt the Department's SAPR metrics to create Academy program metrics

The MSAs should adapt DoD's SAPR metrics as part of a larger metrics effort to capture and communicate progress in addressing both sexual assault and sexual harassment. These metrics will assist with tracking progress in estimated prevalence rates, reporting trends, victim satisfaction with various SAPR services, experiences of retaliation, and command climate issues. The Academies' assessment will then align with the DoD-wide assessment methodology.

Table 4: DoD SAPR Metrics and Non-Metrics

| Metric or Non-Metric | Description |
|---|--|
| 1. Metric: Past-Year Prevalence of USC | Measures Service member experience of USC in the year prior to being surveyed. Provides best estimate of sexual assault incidents involving Service member victims. |
| 2. Metric: Prevalence versus Reporting | Measures the estimated percentage of Service member victims captured in reports of sexual assault (Restricted and Unrestricted Reports). Provides an estimate of the proportion of the crimes being reported to DoD authorities. |
| 3. Metric: Bystander Intervention Experience in the Past Year | Measures whether Service members observed a situation that could have led to a sexual assault and, if so, how they intervened. |
| 4. Metric: Command Climate Index – Addressing Continuum of Harm | Measures Service member perceptions of the extent to which their leadership promotes a climate based on mutual respect and trust. |
| 5. Metric: Investigation Length | Measures the average and median length of sexual assault investigations conducted by military criminal investigative organizations. Knowledge of the average length of a sexual assault investigation will help inform victims about the investigative progress and allows DoD to assess its resources and investigative capabilities. |
| 6. Metric: All Fulltime, Certified SARCs and SAPR VAs | Presents number of fulltime civilian SARCs and SAPR VAs and number of fulltime uniformed SARCs and SAPR VAs. Indicator of professional capability in both garrison and while deployed. |
| 7. Metric: Victim Satisfaction with Services from SARCs, SAPR VAs, and Special Victims' Counsel (SVC)/ Victims' Legal Counsel (VLC) | Measures the extent to which victims were satisfied with the services provided by the SARC, VA, and SVC (if assigned) to determine if these advocates are meeting victim needs. Identifies means for improving process. |
| 8. Metric: Percentage of Subjects with Victims Declining to Participate in Military Justice Process | The percentage of subjects that cannot be entered into the military justice process because the victim declines to participate in the justice process. Helps to assess whether the Department's initiatives to encourage greater victim participation are effective. |
| 9. Metric: Perceptions of Retaliation | Victims who report that they experienced retaliation as a result of reporting a sexual assault, according to the <i>SAGR Survey</i> . Service members' beliefs about whether their command or units would retaliate against victims who reported sexual assault, according to command climate surveys. |
| 10. Metric: Victim Kept Regularly Informed of the Military Justice Process | Victims indicating they were regularly informed of updates as their case progressed through the response process. Determines whether victims are kept informed. |
| 11. Metric: Perceptions of Leadership Support for SAPR | Measures Service members' perceptions of command and leadership support for SAPR program, victim reporting, and victim support. Indicator of command climate. |

| Metric or Non-Metric | Description |
|--|--|
| 12. Metric: Reports of Sexual Assault over Time | Total sexual assault reports (Restricted and Unrestricted Reports) since APY 07-08. Indicator of victim confidence in the response system, the number of victims receiving care, and the number of victims who may be willing to participate in the justice system to hold offenders appropriately accountable. Informs prevention work. |
| 1. Non-Metric: Command Action – Case Dispositions | Command action for military subjects under DoD legal authority, displayed by penetrating crimes alleged versus sexual contact crimes alleged. Demonstrates the disposition of sexual assault cases in the military justice process. |
| 2. Non-Metric: Court-Martial Outcomes | Sexual assault court-martial outcomes, displayed for penetrating crimes charged versus sexual contact crimes charged. Demonstrates subject outcomes in the court-martial process. |
| 3. Non-Metric: Time Interval from Report of Sexual Assault to Court Outcome | The mean and median length of time from the date a victim signs a DD 2910 to the date that court-martial proceedings concluded. Improves the transparency of the military justice process and helps to inform victims about what to expect. |
| 4. Non-Metric: Time Interval from Report of Sexual Assault to Nonjudicial Punishment (NJP) | The mean and median length of time from the date a victim signs a DD 2910 to the date that NJP process is concluded (e.g., punishment awarded or NJP not rendered). Improves the transparency of the NJP process and helps to set appropriate expectations. |
| 5. Non-Metric: Time Interval from Report of Sexual Assault to Judge Advocate Recommendations | The mean and median length of time from the date a report of investigation was provided to command, until the date a judge advocate (JA) made a disposition recommendation to the commander of the accused. Indicator of legal officer resourcing. |
| 6. Non-Metric: DoD Action in Sexual Assault Cases Declined or Not Fully Addressed by Civilian or Foreign Justice Systems | Narratives that demonstrate cases that were declined or unable to be pursued by civilians but were undertaken by the military. Will not include subject/victim names and no jurisdiction names. Demonstrates ability of DoD to hold offenders appropriately accountable. |

Observation Four: MSAs Continue to Integrate Sexual Harassment and Sexual Assault Prevention Concepts into Character Development Efforts

What We Observed

The MSAs continue to take a variety of steps to address character development throughout their academic, athletic, and military training programs. The Department learned of several character development initiatives at the MSAs through interviews conducted during the onsite assessments. DoD encourages all three MSAs to consider adopting these suggested enhancements.

USMA

USMA developed the *Gold Book*, a cadet character development program to supplement its Green Book, a military program-governing document. The *Gold Book* explains how USMA's programs develop moral, civic, and social facets of individual cadets, as described in USMA's Character Development Strategy. It also describes the methods USMA uses to develop leaders of character for the Army to meet its obligations to the Nation.

DoD observed that the MSAs are implementing initiatives to promote character development of their athletes. USMA's Athletic Department hired Executive Action, LLC, to conduct a demonstration-based awareness brief with staff, coaches, and cadet athletes. Executive Action performed a social media scan of the Internet for some of the athletes to show a collection of their online postings in order to display their social media footprint and show how others could perceive them. Some of the posts by cadet athletes presented opportunities for them to learn how to better conform their online behavior to the USMA code of conduct. The

demonstration taught the athletes to think before they post and enhanced their awareness of their online presence.

USNA

USNA required all athletes and coaches to sign a code of conduct contract in APY 14-15, vowing to abide by expected behavior standards and to represent USNA in the best possible manner. This code prohibits certain actions, such as underage drinking and acquiring team residences. It explains that if an individual violates the code of conduct, he or she will be removed from his or her team.

Suggested Enhancement:
Examine cadet and midshipman social media footprints and promote appropriate online behavior.

The Department encourages USNA and USAFA to consider ways to cost-effectively examine cadet and midshipman social media "footprints." Such efforts may help cadets and midshipmen to consider the impact of their online materials.

Suggested Enhancement:
Adopt code of conduct contract for sports teams, clubs, and their coaches.

The Department encourages USMA and USAFA to consider employing a code of conduct, similar to that used by USNA, to deter inappropriate behaviors. A code of conduct helps set appropriate expectations for all team members and enhances the MSAs' ability to hold athletes and coaches appropriately accountable for unacceptable behavior.

USAFA

The USAFA Athletic Department hosted five informal sessions, where intercollegiate

Suggested Enhancement:

Use sports teams and clubs as agents of change to promote healthy relationships, both on and off the field.

Recognizing the potential contributions from sports teams and clubs, DoD encourages the MSA Athletic Departments to consider engaging in efforts to promote healthy relationships, mutual respect, and appropriate boundaries among teammates. The informal sessions used by USAFA appeared promising because they focused on matters much broader than just sexual assault. The Department encourages USMA and USNA to review and adopt a practice appropriate to their unique academy cultures.

Cadets and midshipmen who were not Division I athletes discussed the sense of privilege they observe in some members of

teams spoke with officer mentors, athletic directors, and the SARC about dating and healthy relationships. These sessions taught cadet athletes about the importance of establishing a respectful, healthy environment for themselves and their peers without addressing sexual assault directly.

Efforts to promote excellence in athlete conduct correspond to findings in prior years' assessments that a few sports teams at all three MSAs engaged in disrespectful and harassing behavior. No such team incidents were reported this year; however, attitudes that support such behavior remain an area of concern.

the athletic teams during the 2015 SAGR *Focus Groups*. They found that some athletes focus more on their role as an athlete than their role as a cadet or midshipman. Focus group participants also observed "group think" within teams, meaning a mindset that serves to reinforce a sense of privilege or works against teammates holding each other accountable.

Participants of the 2015 SAGR *Focus Groups* also indicated that cadets and midshipmen sometimes react negatively when they find out that someone has reported a sexual assault. Participants suggested that sometimes those who report can be excluded from social acceptance, criticized both publically and privately, and have their credibility challenged. None of the participants knew of any kind of reprisal by Academy leadership against someone who reported a sexual assault.

Onsite observations and interviews disclosed that social media use is a primary means by which some victims who reported sexual assault have experienced public criticism. Observed social media use at the MSAs reflects a wide variety of opinions and attitudes, as with the civilian sector. The MSAs, unlike the civilian sector, have a unique opportunity to help shape the online behavior of cadets and midshipmen by addressing comments and material that perpetuate discrimination and disrespect. The suggested enhancements described in call-out boxes in this section will help to address this observation and the findings from the focus groups.

Observation Five: Academy SAPR Programs Meet or Exceed White House Task Force Recommendations

The President established the White House Task Force to Protect Students from Sexual Assault on January 22, 2014. This Task Force has a mandate to strengthen federal enforcement efforts and provide schools with additional tools to help combat sexual assault on their campuses. Members of the DoD Sexual Assault Prevention and Response Office were invited to serve in an advisory role to the White House Task Force.

The Task Force released its first set of action steps and recommendations in the report, *Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault* in April 2014.^{xii} The report leveraged several of the Department's sexual assault program components as benchmark practices. These program components include professional advocacy, confidential reporting, bystander intervention

training, and surveying for estimated prevalence rates. Table 5 below provides the recommendations from *Not Alone* and the corresponding action the Department and MSAs are already taking to meet the recommendations.

The Superintendents of the federal service academies, which include the three DoD MSAs, published "Lessons to Share" in *Inside Higher Ed* on May 7, 2015 to foster further collaboration with civilian universities. Spearheaded by Lieutenant General Michelle Johnson, the U.S. Air Force Academy's Superintendent, the article acknowledges that sexual assault on college campuses is a national problem that occurs not only at federal academies, but also at private and public universities. It is up to their leadership to collaborate and communicate best practices to eliminate sexual assault.

Table 5: White House Recommendations and MSA Program

| White House Theme | White House Recommendation | DoD MSA Programs |
|---|--|--|
| 1. Determine the Extent of the Problem | Initiate on-campus climate surveys to survey for prevalence | <ul style="list-style-type: none"> The Department has been surveying for the past-year estimated prevalence of sexual harassment and sexual assault since 2005 at the MSAs. Surveys now occur biennially, with focus groups conducted in intervening years. The Department and the MSAs are also deploying a climate assessment survey tailored to provide officers leading cadets and midshipmen with indicators of unit health. |
| 2. Prevent Sexual Assaults | Use evidence-based prevention recommendations from the U.S. Centers for Disease Control and Prevention (CDC) | <ul style="list-style-type: none"> The Department has been working with the CDC to develop prevention programs since 2007. The Department recently collaborated with the CDC to develop the <i>2014-2016 DoD-wide Prevention Strategy</i> published in May 2014. Military Service and MSA prevention initiatives align with this overarching guidance. A description of each MSA's prevention programs and initiatives is located in their compliance appendices (Appendices A-C). |
| 3. Effective Response to Sexual Assault | Identify trained, confidential victim advocates | <ul style="list-style-type: none"> Each MSA has numerous certified SARCs and SAPR VAs assigned. Victims' communication with SARCs and SAPR VAs is privileged under military law. Each MSA has a Special Victims' Counsel/Victims' Legal Counsel, a military attorney who represents the victim's interests throughout the justice process. |
| | Confidential reporting protocol | <ul style="list-style-type: none"> The MSAs have offered the DoD Restricted Reporting option for sexual assault since 2005. |

| White House Theme | White House Recommendation | DoD MSA Programs |
|-------------------|---|---|
| | Comprehensive sexual misconduct policy | <ul style="list-style-type: none"> The MSAs are required to comply with DoD SAPR policies (DoDD 6495.01 and DoDI 6495.02) and sexual harassment prevention and response policies (DoDD 1350.2 and DoDD 1020.02). Each MSA must comply with its Service's SAPR and sexual harassment prevention and response policies. |
| | Training for school officials involved in investigating and adjudicating sexual assault cases | <ul style="list-style-type: none"> The MSAs are supported by their Services' Special Victim Investigation and Prosecution (SVIP) Capability, comprised of criminal investigators and JAs who are specially trained to respond to sexual assault offenses. Each MSA is developing and implementing MSA-modified versions of its Service's pre-command SAPR training. This training emphasizes commanders' role in support of the SAPR program and their responsibilities in supporting the victim and the accused throughout the military justice process. |
| | Trauma-informed training and modern investigative and adjudicative protocols | <ul style="list-style-type: none"> Criminal investigators and JAs attend specialized training that teaches trauma-informed interviewing methods as part of each Service's SVIP Capability. Adjudication of sexual assault allegations follows all recent Congressionally directed reforms to the military justice system. |

| White House Theme | White House Recommendation | DoD MSA Programs |
|---|---|---|
| | <p>Coordinate efforts with local rape crisis centers, campus security, local law enforcement, and victim service groups</p> | <ul style="list-style-type: none"> • Each of the MSAs has documented relationships with local hospitals and community rape crisis centers to provide services to cadets and midshipmen who request them, such as counseling and sexual assault forensic examinations. • DoD has contracted with the nationally recognized Rape, Abuse and Incest National Network, which operates the DoD Safe Helpline, a 24-7 hotline. DoD also contracts with the National Organization for Victim Assistance, which supports the Department's SARC/SAPR VA certification program. Both of these DoD resources either enhance or support services provided to cadets and midshipmen. |
| | <p>Develop a research collaborative to find new solutions</p> | <ul style="list-style-type: none"> • The Academy Superintendents devoted considerable attention to sexual assault and harassment programs during their annual Conference of Service Academy Superintendents in April 2015. |
| <p>4. Increase Transparency and Improve Enforcement</p> | <p>Become more transparent and improve enforcement of policies and law that contribute to student safety and respect</p> | <ul style="list-style-type: none"> • The Department submits an annual report to Congress on sexual harassment and sexual assault at the MSAs, where they publicize their efforts to improve student safety and respect. • The MSAs use various techniques to provide transparency. |

Conclusions

The Superintendents' personal involvement with the SAPR program produced tangible progress at the MSAs. The Department observed clear evidence of well-organized, integrated response systems at each MSA that support victims throughout the military justice process. The Department also found innovative, engaging educational efforts to help cadets and midshipmen understand and execute their responsibility to prevent sexual assault.

Culture and climate with regard to gender relations have greatly improved. However, greater emphasis on the prevention of sexual

harassment at the MSAs is likely to not only improve gender relations but also yield continued reductions in occurrence of sexual assault. The MSAs should implement the action items presented and are encouraged to implement the suggested enhancements, along with completing the past action items in each MSA's appendix. The efforts taken by the Academies to date have established the correct conditions for working towards decreasing sexual harassment and sexual assault. The Department looks forward to seeing the results of the new initiatives implemented by the MSAs in APY 14-15, as well as progress in the new action items.

ⁱ USC is the survey term that describes the crimes in the Uniform Code of Military Justice that constitute sexual assault, which range from penetrating crimes, such as rape, to non-penetrating crimes, such as abusive sexual contact. USC involves intentional sexual contact that was against a person's will or occurred when the person did not or could not consent.

ⁱⁱ White House Task Force to Protect Students from Sexual Assault. (2014). *Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault*, 7-20. Retrieved from <https://www.whitehouse.gov/1is2many/notalone>

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

^{iv} Department of Defense. (2014). *DoD Sexual Assault Prevention Strategy*, 5. Retrieved from <http://www.sapr.mil/index.php/prevention/prevention-strategy>

^v Defense Manpower Data Center. (2015). *2014 Service Academy Gender Relations Survey Overview Report*, xi. Retrieved from <http://www.sapr.mil/index.php/research>

^{vi} Defense Manpower Data Center. (2015). *2014 Service Academy Gender Relations Survey Overview Report*, xi. Retrieved from <http://www.sapr.mil/index.php/research>

^{vii} Secretary of Defense memorandum. (2015). *Assessment of Sexual Harassment and Violence at the United States Military Service Academies for Academic Program Year 2013-14 (June 1, 2013 to May 31, 2014)*, 2. Retrieved from <http://www.sapr.mil/index.php/news>

^{viii} Department of Defense Instruction 6495.02, Enclosure 10, 2.d.(5), “SAPR Program Procedures,” Incorporating Change 2, July 7, 2015. Retrieved from <http://www.sapr.mil/index.php/dod-policy/dod-and-service-policy#DoD-policy-mod>

^{ix} Department of Defense Instruction 6495.02, Enclosure 9, 1.b., “SAPR Program Procedures,” Incorporating Change 2, July 7, 2015. Retrieved from <http://www.sapr.mil/index.php/dod-policy/dod-and-service-policy#DoD-policy-mod>

^x Department of Defense Instruction 6495.02, Enclosure 9, 2.f., “SAPR Program Procedures,” Incorporating Change 2, July 7, 2015. Retrieved from <http://www.sapr.mil/index.php/dod-policy/dod-and-service-policy#DoD-policy-mod>

^{xi} The term “metric” is used to describe a quantifiable part of a system’s function. Inherent in performance metrics is the concept that there may be a positive or negative valence associated with such measurements. In addition, adjustments in inputs to a process may allow an entity to influence a metric in a desired direction. For example, it is the stated intent of DoD to encourage greater reporting of sexual assault. Therefore, increases in the number of sexual assault reports may be an indicator that such a policy may be having the desired effect. DoD coined the term “non-metric” to describe aspects or outputs of the military justice system that should not be “influenced,” or be considered as having a positive or negative valence in that doing so would be undesirable and may be considered inappropriate or unlawful under military law.

^{xii} White House Task Force to Protect Students from Sexual Assault. (2014). *Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault*, 7-20. Retrieved from <https://www.whitehouse.gov/1is2many/notalone>

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