



THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

November 5, 2014

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR PERSONNEL
AND READINESS

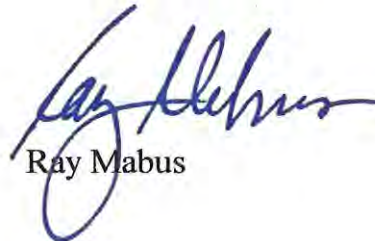
SUBJECT: Combined Data Call for the Department of Defense Sexual Assault Prevention and Response Progress Report to the President of the United States and the Fiscal Year 2014 Annual Report on Sexual Assault in the Military

As requested in your memorandum of June 26, 2014, attached are Department of the Navy (DON) materials required for the Department of Defense Sexual Assault Prevention and Response (SAPR) Progress Report to the President of the United States. Included are separate SAPR Progress Reports for the DON, the United States Navy, and the United States Marine Corps, along with Fiscal Year 2014 Sexual Assault Statistical Reports for the two Military Services.

I am pleased to provide you with details of our Department-wide efforts to combat sexual assault. An important part of our story involves my own DON Sexual Assault Prevention and Response Office (SAPRO), whose Director reports directly to me. As one result, the Department and each Service have become distinct, yet collaborative, centers of SAPR activity, whose collective synergy exceeds the sum of individual parts.

I am committed to creating a Department-wide culture of gender respect, where sexual assault is never tolerated and ultimately eliminated, sexual assault victims receive coordinated support and protection, and offenders are held appropriately accountable. I, along with the Chief of Naval Operations and the Commandant of the Marine Corps, have worked in close partnership since at least 2009 towards these high priority goals. There is no precedent for the scope of what we seek to achieve, and we accept the challenge to break new ground. Together, we have achieved important results.

Should you need additional information, my point of contact for this action is Ms. Jill Loftus, Director, DON SAPRO, who may be reached at (703) 697-2180 or jill.loftus@navy.mil.


Ray Mabus

Attachments:
As stated

**DEPARTMENT OF THE NAVY
SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE**

SAPR Progress Report to the President

Executive Summary

INTRODUCTION

The Department of the Navy (DON) is deeply committed to achieving a culture of gender respect – where sexual assault is never tolerated and ultimately eliminated; where victims receive effective support and protection; and where offenders are held appropriately accountable. There is no precedent for what we seek to achieve, and we accept the challenge to break new ground.

The Department of the Navy Sexual Assault Prevention and Response Office (DON-SAPRO) is a Secretariat organization whose Director reports directly to the Secretary of the Navy. While respecting important distinctions, DON-SAPRO operates in partnership with Sexual Assault Prevention and Response (SAPR) programs of the United States Navy and United States Marine Corps. Since 2009, Departmental strategy has included the following: leadership engagement on an unprecedented scale; new and innovative training tools designed for Service-wide use; and pilot initiatives to assess the efficacy of sexual assault prevention. In 2010, the Department set a goal of achieving within six years a demonstrable reduction in the frequency of sexual assault among Sailors and Marines.

Inquisitive efforts have included the following: civilian expert consultations; site visits worldwide with stakeholder interviews and focus groups; forensic reviews of criminal investigation case synopses; DON-wide sexual assault surveys in 2011 and 2013; pilot initiatives since 2011 at Great Lakes, Illinois; and ongoing sexual assault surveys at 19 post-recruit training programs. Separately, in 2010, we convened the first-ever, DON-wide summit of Sexual Assault Response Coordinators, and, in 2011, we expanded that forum to include installation and regional commanders, along with presentations by two male victims of sexual assault. We've since reached out to major Navy and Marine Corps sites with live training and education, and we've deployed several new training tools, including a first-ever training program developed specifically for DON civilians.

Several achievements have resulted. First, sexual assault reporting has dramatically improved as Sailors and Marines have become more confident about SAPR support. Second, accumulated experience at Great Lakes has demonstrated the possibility of sustained reductions in the risk of sexual assault among young Sailors in post-recruit vocational training. Finally, sexual assault surveys conducted by DON-SAPRO provide early evidence of Department-wide reductions in the frequency of sexual assault.

IMPROVED REPORTING

Across the Navy and Marine Corps, the annual number of sexual assault reports (including restricted reports) began rising sharply in Fiscal Year (FY) 2012 and has increased since then to more than twice its preceding baseline (see Figure 1 below). This recent trend contrasts dramatically with almost no change during FYs 2009-2011. The increase in sexual assault reporting correlates closely with the broad deployment of new SAPR initiatives and training tools in 2010-2011.

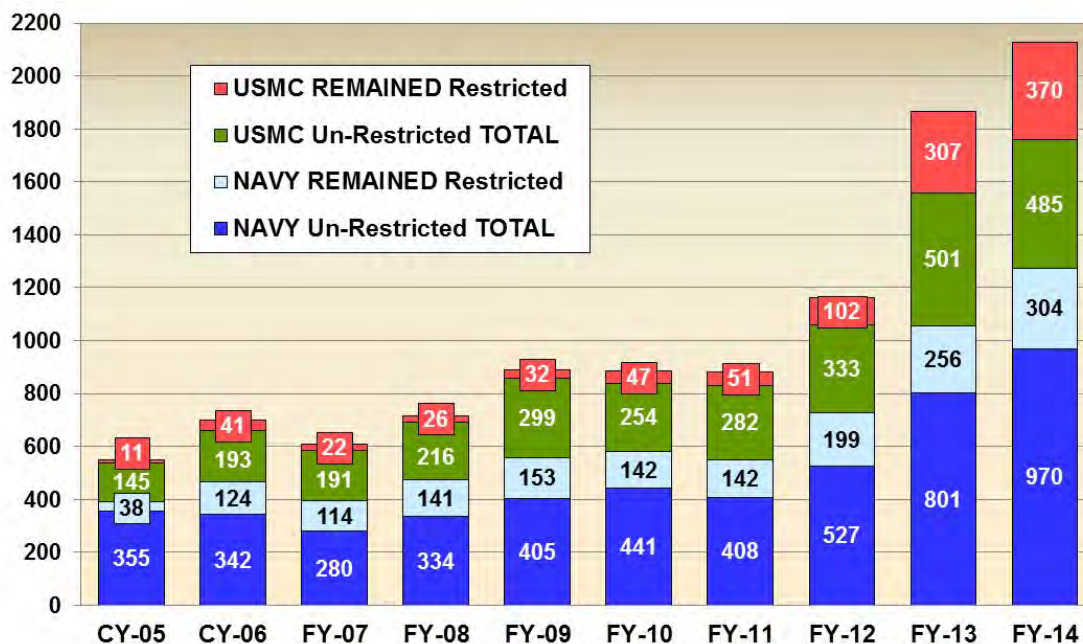


Figure 1. Unrestricted and Restricted Reports of Sexual Assault in the Navy and Marine Corps, by Year

Evidence suggests the increasing number of sexual assault reports has resulted from improved confidence to report a sexual assault. First and foremost, literally thousands of Sailors and Marines in hundreds of focus groups since 2012 have told us directly that they or their friends would now feel more comfortable reporting a sexual assault. In addition, our 2013 DON-wide sexual assault survey revealed that over 70% of male participants (out of 65,000) and 63% of females (out of 12,000) are now more likely to report a sexual assault, while only 3% of males and 5% of females felt less likely. From the same survey, even larger majorities knew who their Victim Advocate was and also felt their command leadership would quickly identify and address misconduct.

Encouraging trends, within the larger yearly totals of sexual assault reports, are also most consistent with increasing victim confidence. First, over the last several years, especially among females, a progressively increasing proportion of reports have involved incidents that occurred much earlier. During FY 2013, 25% of unrestricted reports by female victims and 20% of those by male victims involved assaults that occurred prior to that FY. Second, the number of reports made by male victims, who

usually are very reluctant to come forward, increased substantially for the first time in FY 2013, to almost triple their number in FY 2012. Also, the proportion of reports involving non-penetrating sexual contact has progressively increased. Over 40% of unrestricted reports by Navy women during FY 2013 involved non-penetrating sexual contacts.

PILOT SUCCESS IN SEXUAL ASSAULT PREVENTION

Initiatives at Great Lakes, Illinois have produced a sustained reduction in the number of reported sexual assaults among Sailors in post-recruit vocational training. The initiatives began in 2011 as pilot efforts through a partnership of DON-SAPRO, senior Navy leaders, and local stakeholders. Over a 44-month period, compared to the same interval prior, reports of any sexual assault (including restricted reports) have decreased by 47%, and reported penetrating sexual assaults have decreased by 61% (see Figure 2 below).

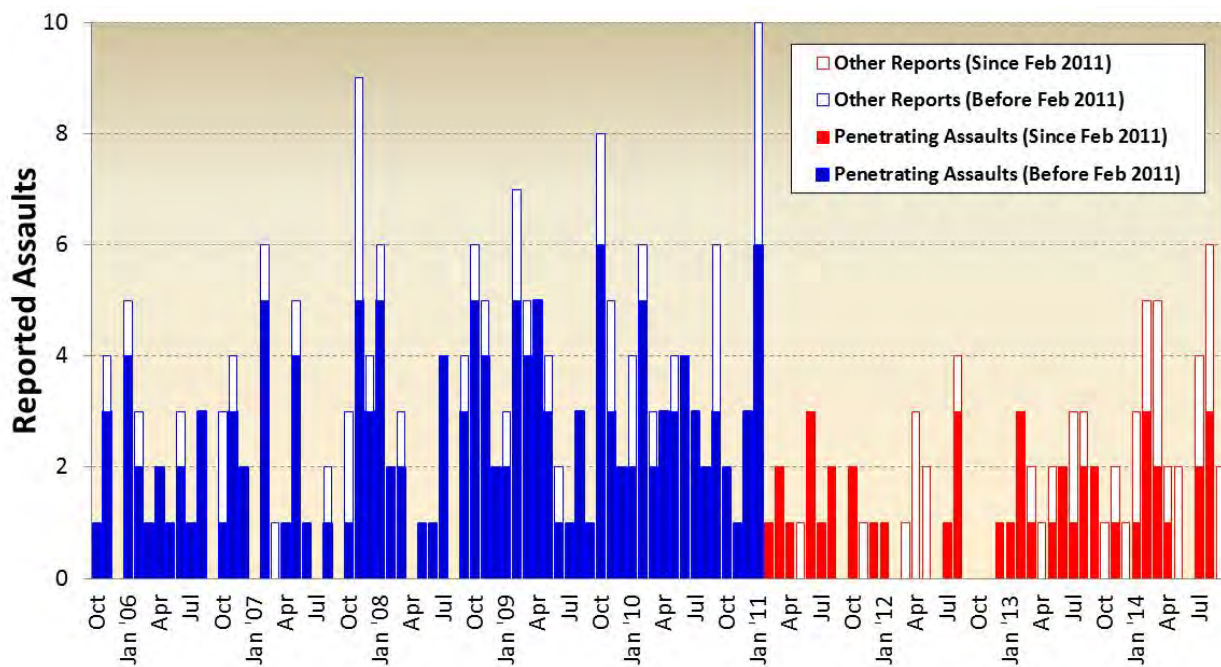


Figure 2.* Reports of Sexual Assault (Including Restricted Reports) at Training Support Command, Great Lakes, by Month of Reported Occurrence

Site visits and focus groups have provided subsequent confirmation of a positive command climate, confidence in SAPR program support, and comfort in reporting sexual assaults. Initial plans to also assess trends with paper-based sexual assault surveys proved to be logistically unsustainable. In its place, ongoing electronic sexual assault surveys since 2013 of all departing graduates confirm a consistently low incidence of sexual assault.

Our early interest in pilot initiatives reflected the absence of a documented precedent for achieving sexual assault prevention, and we did preliminary work to identify suitable

partners. In 2010, after visiting diverse military training sites, we concluded the training environment itself is not a risk factor, but sexual assaults are more common anywhere among the youngest Sailors and Marines. Our review of criminal investigation synopses supported this observation and helped identify candidate pilot sites. We lacked data to compare sexual assault frequencies at different locations, but we found the number of investigations then at Great Lakes resembled the totals for much-larger facilities, suggesting a higher risk. We came to recognize Training Support Command (TSC) Great Lakes as a large population of at-risk young Sailors, led by concerned commanders, where sequential assessments were feasible. The command is located on a relatively isolated Naval Station about 90 minutes north of Chicago, where it supports an average of 4,000 students enrolled in five major training commands. Most students are young Sailors newly arrived from nearby recruit training.

Additional work led to a two-day, on-site “Stakeholder Planning Summit on Sexual Assault Prevention Strategies” in early 2011, attended by DON-SAPRO, civilian experts, Navy leaders, and local stakeholders. With professional facilitation, the group identified many initiatives in several functional categories. Some were new training programs that needed special funding by DON-SAPRO, while many were local efforts implemented immediately. These included updated student orientations and SAPR curricula, restructured liberty policies, senior students tasked to look after juniors at the on-base club, open “non-judicial punishment” sessions and published decisions, engagement with Naval Criminal Investigative Service (NCIS) to combat hotel-room drinking parties, command support for local peer-mentoring programs, and a visible command presence at many student activities. In addition, the Navy Region commander began periodic “drumbeat” meetings to oversee and coordinate activities.

The visible engagement of leaders, at all levels, in multiple simultaneous efforts, triggered rapid impacts on command climate and the incidence of sexual assault. Initial impacts notably preceded the start-up of formal new SAPR training programs, some of them civilian contracted. Transformed activities at Great Lakes are now the norm, and the current staff no longer thinks of them as a “pilot project.” Navy leadership is already applying its lessons Service-wide.

The success of ongoing student surveys, begun at several key places in 2013, has now led to their sequential implementation at all 19 Navy “A” School (initial post-recruit military vocational training) locations. Surveys at each site are conducted by DON-SAPRO in partnership with Navy leadership. The survey process is voluntary, anonymous, web-based, and continuous. Over 9000 Sailors have completed the survey, and participation has recently averaged about 30-40% of all graduates.

DEPARTMENT-WIDE IMPACTS

Sexual Assault Surveys conducted in 2011 and 2013 suggest a 30% reduction in the projected total number (both genders combined) of active duty Sailors and Marines who experienced either “penetrating” sexual assault or non-penetrating (and unwanted) sexual contact in the prior year. The great majority of overall impact was from survey-projected reductions in non-penetrating sexual contacts, especially among males.

Survey trends are confusing with regard to penetrating sexual assaults among females. We believe they are best explained by two separate and superimposed factors. First, we have recently changed (for the better) how survey participants interpret and respond to survey questions about unwanted sexual contacts. As a result of new and widely implemented SAPR training programs, Sailors and Marines are now much better educated about “consent” and “non-consent” in the context of sexual activity. This key concept is written into most sexual assault survey questions. Second, our results also suggest preliminary evidence of new reductions in the risk of penetrating sexual assault among the very youngest cohorts of female Marines.

Both Sexual Assault Surveys were Department-wide efforts. Each time, senior leaders invited all Sailors and Marines to participate. Each survey built on prior survey experiences in 2005 and 2009. Several features helped promote individual participation – both surveys could be taken from any computer or smart phone with internet access; both were intentionally short; and all responses were completely anonymous. In 2011, over 115,000 active-duty personnel (22% of the force) participated, including 21% of men and 27% of women. In 2013, over 78,000 (15% of the force) did so, including 15% of men and 18% of women.

Both surveys included questions about non-consensual experiences that duplicated formats used elsewhere by the Defense Manpower Data Center. We organized positive multiple-choice responses into two categories – (a) any combination including a “penetrating” sexual assault, and (b) those indicating only unsuccessful attempts or non-penetrating sexual contacts. We recognize that any form of sexual assault or unwanted sexual contact can be equally traumatic to individual victims. Our differentiation corresponds roughly to categories in the Uniform Code of Military Justice (UCMJ), and also the different circumstances and trending patterns of the two groupings. Inappropriate sexual touching more often occurs in the workplace, and has more convincingly declined than penetrating sexual assaults.

Baseline survey data from 2011 helped clarify some basic insights about sexual assault in military populations. Results for “penetrating” sexual assaults showed a clear relationship between sexual assault risk and young age, especially among females. Sailors and Marines of the same gender and age showed almost identical results. The highest annual risk of “penetrating” sexual assault was about 5% among 17-19 year old females (both Sailors and Marines) – the same as reported by the Department of Justice in 2007 for college women in America – but declines to about 1% or less for those in their late 20’s and older. Males have a lower risk of sexual assault, but they constitute such a large majority of military populations that we project a larger number of individual male victims than female victims annually for both the Navy and Marine Corps.

Our findings here expand some insights and validate many others. Both Sailors and Marines strongly indicate they are now more comfortable reporting a sexual assault than in the past, and many say they personally know of someone intervening to prevent a sexual assault. Virtually all have received recent SAPR training, and the vast majority

found that training impactful. The vast majority also say their command leadership would quickly identify and address misconduct. Concern about confidentiality is a key influencer of reporting behavior. Most assaults occur in off-duty settings, and offenders are typically co-workers or other active-duty personnel. Alcohol is a common but not universal co-factor. Risk factors include young age and new arrival at a first Fleet assignment after initial military training, but assaults also occur in other settings. These insights have directly informed sexual assault prevention activities across the Department.

OTHER ACCOMPLISHMENTS

DON-SAPRO has also produced special training and professional tools:

In 2010, the first-ever DON “Sexual Assault Response Coordinator’s Summit” was attended by all Sexual Assault Response Coordinators (SARCs) from across the Navy and Marine Corps. The 2½-day agenda included presentations by senior military and civilian leaders, outside civilian experts, and two sexual assault victims – a female Sailor and a female Marine.

In 2011, an expanded 3-day “Sexual Assault Prevention Summit” included all SARCs and added every Navy and Marine Corps shore installation and regional commander. Presenters included the Secretary and Under Secretary of the Navy, the Service Chiefs of both Services, the senior enlisted leader of both Services, White House staff, outside civilian experts, and two sexual assault victims – a male Marine and a male retired Navy officer.

In 2012, DON-SAPRO conducted SAPR forums at Navy and Marine Corps operational concentration sites. Over 5,000 Navy and Marine officers and senior enlisted personnel attended half-day leadership sessions at eight sites world-wide. The training offered new perspectives on victim behavior and the persona of many perpetrators. Additional sessions involved live-acted, vignette-based stage programs for enlisted Sailors and Marines.

In 2013, DON-SAPRO conducted “No Zebras, No Excuses ...” training to large audiences during visits to over 30 Navy and Marine Corps locations world-wide. These live-acted, vignette-based programs emphasized bystander intervention. Over 41,000 Sailors and Marines attended. Civilian expert presentations were also conducted for commanders and other stakeholders at eight sites.

In 2014, DON-SAPRO is conducting live-acted “InterACT” programs at training sites and other diverse Navy and Marine Corps locations. The interactive sessions use audience participation to explore healthy relationships and specific bystander intervention techniques. Over 16,000 Sailors and Marines have attended thus far.

“One Team, One Fight” is a one-hour program tailored for civilians, combining video segments and facilitated discussion. It was deployed DON-wide in 2013 and remains in use for new hires. In 2014, DON-SAPRO deployed two other new SAPR training programs. “Make a Difference, Be the Solution” is tailored for pre-commissioned

officers, including midshipmen at the Naval Academy and at civilian college Reserve Officers' Training Corps (ROTC) programs, along with candidates in training at Officer Candidate School (OCS). "Empowered to Act" is tailored for prospective commanding officers and is in use at the Naval Leadership and Ethics Center. Both include scenario-based videos and facilitated small group discussion.

Work is already underway for products expected in 2015. These include the following: a SAPR training program tailored for the Navy Senior Enlisted Academy; a separate training program for recruits in training at Navy Recruit Training Command; a video library of short videos from previous training to illustrate specific issues of consent, incapacitation, and victim reactions; and "Understanding, Preventing, and Responding to Sexual Assaults: A Fresh Approach to Commander Training" which will use war-game techniques to educate Commanding Officers and Executive Officers.

The "SAPR Commander's Guide" is a 22-page, glossy-format booklet developed by DON-SAPRO in 2012. It summarizes Departmental priorities, background data, and suggestions for managing local cases. Over 40,000 copies have been distributed to command leadership across the Navy and Marine Corps. In 2014, an updated and expanded 50-page second edition is being published. It includes new sections written respectively by judge advocates, criminal investigators, chaplains, medical personnel, and the reserve component.

Comprehensive Overview by LOE

LEADERSHIP ENGAGEMENT

- The Department of the Navy (DON) initiated more direct involvement by senior civilian and military leadership to emphasize the importance of preventing sexual assaults, supporting victims, and providing the resources necessary to fully investigate any allegations.
- Top-down engagement of senior leadership has been a defining feature since 2009 of efforts to combat sexual assault in the DON. In September 2009, the Secretary of the Navy personally led a 2-day "Sexual Assault Prevention Summit" that brought senior military and civilian leaders together with 10 outside experts. Immediately thereafter, the Chief of Naval Operations (CNO) and the Commandant of the Marine Corps (CMC) convened Service-level planning.
- Later in 2009, the Secretary created the Department of the Navy Sexual Assault Prevention and Response Office (DON-SAPRO) as a new entity within the Navy Secretariat. Its Director is one of the Department's most senior civilian executives. She reports directly and often to the Secretary. As a result, the DON has three active centers of Sexual Assault Prevention and Response (SAPR) effort – DON-SAPRO, and Service-level counterparts of the Navy and Marine Corps – working in collaboration and reflecting partnership of the Secretary, CNO, and CMC. The DON is still the only Military Department with a dedicated SAPR organization reporting directly to the Secretary.
- In 2013, the Secretary, the CNO, and the Superintendent of the United States Naval Academy (USNA) each addressed the Brigade of Midshipmen on the critical

importance of preventing sexual assault and supporting sexual assault victims. The Superintendent, the Commandant of Midshipmen, and the USNA Sexual Assault Response Coordinator (SARC) also addressed the entire Brigade shortly afterward.

- Continuously since 2009, the Director, DON-SAPRO has conducted an active schedule of site visits to Navy and Marine Corps locations world-wide. Each of her visits includes discussions with senior commanders about sexual assault prevention, SAPR program and policy issues, and specific local challenges. In addition to their prominent role in Department-wide program assessment (see LOE #5 below), these high-visibility visits, on behalf of the Secretary, serve to reinforce DON priorities for senior leaders and key stakeholders literally around the world.

1. Line of Effort (LOE) 1—Prevention

• Department-Wide Summits:

- In March 2010, DON-SAPRO convened the first-ever DON “Sexual Assault Response Coordinator’s Summit.” The 2½-day agenda included presentations by senior military and civilian leaders, civilian experts, and two sexual assault victims – a female Sailor and a female Marine. It was attended by virtually all SARCs from across the Navy and Marine Corps.
- In May 2011, DON-SAPRO expanded its prior forum into a 3-day DON “Sexual Assault Prevention Summit” attended by Navy and Marine Corps SARCs, this time accompanied by all shore installation and regional commanders. The agenda included presentations by the Secretary, Under Secretary, CNO, Assistant Commandant of the Marine Corps (ACMC), Master Chief Petty Officer of the Navy (MCPON), Sergeant Major of the Marine Corps (SgtMajMC), White House staff, outside civilian experts, and two sexual assault victims – this time a male Marine and a male retired Navy officer.

• New SAPR Live Training:

- During mid-2012, DON-SAPRO conducted SAPR forums at Navy and Marine Corps operational concentration sites. Over 5,000 Navy and Marine officers and senior enlisted personnel attended ½-day leadership sessions at eight sites world-wide. Leadership sessions were presented by a leading civilian expert on sexual assault criminal investigation and offender profiling. The training offered new perspectives on victim behavior and the outward “nice guy” persona of many perpetrators. Additional sessions involved live-acted, vignette-based stage programs for enlisted Sailors and Marines.
- During mid-2013, DON-SAPRO conducted “No Zebras, No Excuses ...” training to large audiences during visits to over 30 Navy and Marine Corps locations world-wide. These live-acted, vignette-based programs emphasized bystander intervention. A special program recorded on a Navy ship in 2012 was professionally edited and has been distributed throughout the Fleet.
- During mid-2013, DON-SAPRO conducted large-audience training for commanders and other stakeholders at eight Navy and Marine Corps sites. Mr.

Steve Thompson, a civilian expert, discussed sexual assault criminal investigations and offender profiling.

- In 2014, DON-SAPRO is conducting live-acted, theatrical-based “InterACT” programs on a quarterly basis at several initial military training sites in addition to one-time presentations at sites across the Department. The interactive sessions use audience participation to explore healthy relationships and specific bystander intervention techniques. Our intent is to build on prior training experience with an enhanced and more interactive follow-on program. Over 16,000 Sailors and Marines have attended thus far.

- **Chaplain Corps Initiatives:**

- The Navy Chaplain Corps (CHC) serves both the United States Navy and the United States Marine Corps. In 2014, the CHC in collaboration with DON-SAPRO is moving forward to provide two prevention initiatives. The “Sexual Assault Prevention Workshop” will supplement existing command-level sexual assault prevention efforts and is based on the United States Coast Guard “WorkLife” program. This workshop will be provided through the Chaplain Religious Enrichment Development Operation (CREDO).
- “Clean Conscience” is intended to prevent recidivism of previous sexual assault perpetrators and to assist those struggling with negative thoughts or actions regarding sexual assault. The program leverages the special confidentiality offered by chaplains. A messaging campaign will be directed to these individuals, underscoring the availability of help from chaplains to resist or correct violent behaviors, while keeping their counseling sessions confidential. Application of this initiative will be CHC-wide.

- **New SAPR Training Tools:**

- In 2013, DON-SAPRO developed “One Team, One Fight,” a one-hour training program tailored for civilians, which combines video segments and facilitated discussion. It was deployed Department-wide by the Office of Civilian Human Resources (OCHR) and remains in use for new hires. In 2014, OCHR built and deployed a computer-based module for annual follow-on training of DON civilians.
- In 2014, DON-SAPRO is deploying two related but separate new products. “Make a Difference, Be the Solution” is a one-hour program tailored for pre-commissioned officers, including midshipmen at the Naval Academy and at civilian college Reserve Officers’ Training Corps (ROTC) programs, along with candidates in training at Officer Candidate School (OCS). Staffs from all three training programs were actively engaged in its development. “Empowered to Act” is a two-hour pre-command program tailored for prospective Commanding Officers (COs), Executive Officers (XOs), and Command Master Chiefs (CMCs) attending the Naval Leadership and Ethics Center in Newport, RI, whose staff was especially supportive in its development.
- Work is already underway for products expected in 2015. These include the following: a one-hour SAPR training program tailored for the Navy Senior Enlisted Academy, which every E-8 attends; a separate two-hour training program for Navy

recruits in training at Recruit Training Command (RTC) Great Lakes, IL; a video library of short videos from previous training to illustrate specific issues of consent, incapacitation, and victim reactions; and “*Understanding, Preventing, and Responding to Sexual Assaults: A Fresh Approach to Commander Training*” which will use war-game techniques to educate Commanding Officers and Executive Officers. DON-SAPRO has contributed substantial funding for these projects.

- **Sexual Assault Prevention Pilot Demonstration Projects:**

- Since 2010, DON-SAPRO has partnered with Navy leadership and local commanders to implement and assess multiple simultaneous initiatives at Training Support Command (TSC) Great Lakes, the Navy’s largest single concentration of post-recruit occupational training schools for new Sailors. An on-site summit in February 2011 set the stage for major new SAPR training programs, aggressive anti-alcohol efforts, visible leadership engagement in both Sailor discipline and mentoring, and active coordination across organizational lines by regional senior leaders. One result has been a 63% reduction in reported sexual assaults, sustained over a 30-month period. Separate anonymous sexual assault surveys confirm positive effects, and individual Sailors consistently tell us they are now more comfortable reporting sexual assaults, including some that occurred prior to enlistment. This effort has benefitted from periodic liaison with experts from the Centers for Disease Control and Prevention (CDC) in Atlanta and the University of Illinois at Chicago (UIC). Since 2013, the Navy has been working with regional senior leaders to distill key insights and apply them in different settings elsewhere.
- Since 2013, DON-SAPRO has collaborated with diverse Navy stakeholders to explore support programs for victims of prior sexual assault. The goal is to develop voluntary, confidential mechanisms to help young Sailors gain personal strength and tools to succeed as Sailors and avoid re-victimization. Some Fleet and Family Support Centers (FFSCs) have had initial success with individualized, gender-specific support groups. DON-SAPRO supported special six-week training of two counselors at Naval Station Great Lakes, IL.

- **Crime Reduction Campaign:** The Naval Criminal Investigative Service (NCIS) maintains the Crime Reduction Program (CRP), a community outreach initiative designed to address criminal threats affecting the Department. On a quarterly basis, the CRP focuses the efforts of investigative personnel on educating and increasing the awareness of military members and their dependents on criminal threats in an effort to deter crime and victimization. The CRP is led by NCIS and includes both law enforcement and community service partners within DON. The campaigns frequently focus on sexual assault awareness. During these three-month campaigns, NCIS representatives provide sexual assault awareness briefings to commands and the military community. Due to the demand, sexual assault awareness campaigns occur once a year, and the next iteration is scheduled for January 1 to March 31, 2015. This yearly campaign immediately precedes the nationally recognized Sexual Assault Awareness and Prevention Month in April. In concert with the Secretary of the Navy’s 21st Century Sailor and Marine Initiative, the goal of this campaign is to prevent sexual assaults and highlight bystander action and intervention.

Sexual Assault Awareness Briefing Program

Fiscal Year	Number of Briefs	Marine Officers	Marine Enlisted	Navy Officers	Navy Enlisted	Other Services	Civilians	Number of Personnel
2011	670	980	9,576	2,423	22,187	6,617	1,691	43,474
2012	806	11,138	21,374	19,231	52,983	16,524	4,654	125,904
2013	588	1,206	12,803	3,480	15,127	2,061	2,357	37,034
*2014	996	2,336	18,547	7,065	35,717	18,102	7,955	89,722

***2014 - Quarters 1, 2, and 3**

- In 2013, NCIS worked at length with producers of the television series “NCIS” on an episode concept involving sexual assault. Calls to DoD Safe Helpline nearly doubled when the episode aired in April 2014, and there was also an increase that night in civilian calls to the National Sexual Assault Hotline operated by the Rape, Abuse, and Incest National Network (RAINN).
- In 2014, NCIS worked with the producers of “NCIS” to create four Public Service Announcements with actress Pauley Perrette. Plans are underway to broadcast them world-wide on the Armed Forces Network, in coordination with a poster campaign developed by NCIS Special Agents.

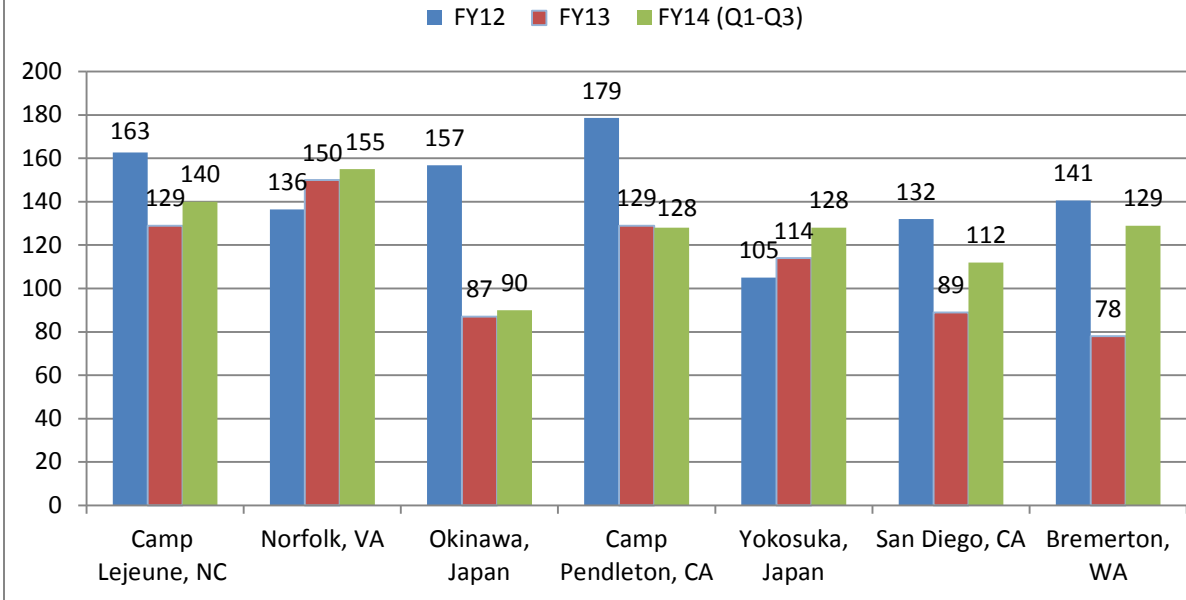
2. LOE 2—Investigation

- Since 2012, the Bureau of Medicine and Surgery (BUMED) has trained over 900 healthcare providers to perform Sexual Assault Forensic Exams (SAFE) and established the capability to perform SAFE exams at 97 Military Treatment Facilities (MTFs) world-wide and in over 250 Fleet deployed settings. In addition, each MTF has victim care protocols in place and conducts mock SAFE drills that test SAPR team coordination. These efforts serve the dual purposes of enhancing compassionate medical support for sexual assault victims while also improving the professional collection of forensic evidence for criminal investigations and prosecutions.
- The NCIS is a Department-level Military Criminal Investigative Organization (MCIO) that supports both the United States Navy and the United States Marine Corps. The NCIS has sponsored three advanced training courses for investigators: Advanced Family and Sexual Violence training, Advanced Adult Special Victims training, and a Mobile Training Team (MTT) course on “*Sexual Assault Investigation and Prosecution.*” The MTT was a collaborative effort by NCIS, the Judge Advocate General of the Navy, and the Judge Advocate of the Marine Corps.

- Text Tip Campaign. In December 2011, NCIS established its Text Tip campaign, “See something, say something.” To date, they have received 99 tips pertaining to sexual assaults.
- In July 2013, NCIS received 54 additional billets authorized by the Secretary of the Navy in response to increased sexual assault reporting. These billets included 41 Special Agents and 13 support staff. In addition to the Special Agents, the new billets include an Investigative Analyst, five Forensic Consultants, four Cyber Specialists, three Evidence Technicians, and one Laboratory Support position. The Special Agents have completed the nearly six-month-long Special Agent Basic Training Program at the Federal Law Enforcement Training Center (FLETC) and reported to their assigned field offices, where they are participating in the Field Training Evaluation Program (FTEP). During the FTEP, new Special Agents investigate common law crimes, such as larcenies, burglaries, and drug offenses, to gain experience and further develop their investigative skills.
- Adult Sexual Assault Program (ASAP) Teams. In support of Department of Defense (DoD) requirements for a Special Victim Capability (SVC), NCIS created ASAP. The program pairs Special Agents and Investigators, dedicated specifically to the investigation of sexual assaults, in order to expedite the investigative process and enhance continuity. By surging efforts and collaborating early, the program improves the timeliness and ultimate benefit of sexual assault criminal investigations. Team members collaborate throughout the investigative process with local law enforcement, prosecutors, healthcare providers, Victim Advocates, Victim-Witness Assistance Program (VWAP) personnel, and others. Since the implementation of ASAP, the timeliness of NCIS sexual assault investigations has improved markedly, without a concomitant degradation of investigative quality. Teams have been established in fleet concentration areas where the volume of sexual assault reports is greatest, including the following:
 - Camp Lejeune, NC (June 2012)
 - Norfolk, VA (August 2012)
 - Okinawa, Japan (September 2012)
 - Camp Pendleton, CA (October 2012)
 - Bremerton, WA (March 2013)
 - San Diego, CA (April 2013)
 - Yokosuka, Japan (August 2013)

NCIS investigation timelines are calculated from initial notification until the date all logical investigative leads have been completed and the case has been presented to command for administrative or judicial action. The average timeline for investigations conducted by ASAP teams in FY 2013 was 110 days, a near 24% decrease from 144 days in FY 2012. Data through the 3rd quarter of FY 2014 indicates the length of investigations increased to 126 days, attributed to the continued increase of sexual assaults reported throughout the year.

Comparison of ASAP Offices - Average Days for Active Investigation



- Master-at-Arms Augmentation.** In an effort to assist NCIS with the increased reports of sexual assault, NCIS partnered with the United States Navy to activate twenty-three NCIS Master-at-Arms (MA) reservists for a period of one year. The reservists are predominantly local and state police officers and detectives who already possess the investigative expertise needed to investigate sexual assault allegations. The MAs have been recalled to active duty and are attending five weeks of instruction on NCIS policy, advanced interviewing and interrogation techniques, crime scene processing and management, and advanced sexual assault training at the Federal Law Enforcement Training Center (FLETC). Upon graduation, they will report to NCIS field offices in the continental United States for duty.
- Additionally, in an effort to professionalize and enhance the investigative capabilities of active-duty MAs, NCIS will commence a pilot program in early FY 2015. Twelve MAs selected from the Fleet who have already attended the eight-week Military Police Investigator's course will attend the same FLETC course of instruction as their reserve counterparts. Upon graduation, they will report for duty to NCIS field offices, where they will conduct criminal investigation under the auspices of the Special Agent in Charge.

3. LOE 3—Accountability

- Since 2012, DON-SAPRO has distributed over 40,000 copies of its 22-page, glossy-format “*SAPR Commander’s Guide*” booklet, which summarizes Departmental priorities, background data, and specific suggestions on command management of local sexual assault cases. In 2014, an updated, 50-page, second edition is being published (see attachment). It includes new sections written by the Judge Advocate General (JAG), the Naval Criminal Investigative Service (NCIS), chaplains, medical personnel, and the reserve component.
- During Fiscal Year 2012, hundreds of uniformed judge advocates from the Navy and Marine Corps received specialized training to improve their ability to assist clients involved in sexual assault cases.
- In July 2013, the Navy and Marine Corps both began publicizing a running list of verdicts from Special and General Courts-Martial for all offenses, including sex assault crimes, in an effort to enhance accountability and increase transparency. The listings include details for each case, such as the type of court-martial, where it was held, the rank of the accused, the crime they were tried for, the verdict, and any punishment awarded – along with the names of offenders who either pled guilty or were found guilty. The effort is intended to show that offenders will be punished, which victim advocates and officials believe is central to stemming sex assaults.

4. LOE 4—Advocacy/Victim Assistance

- Since 2009, DON Office of Sexual Assault Prevention and Response (DON-SAPRO) has conducted over 100 specific site visits to Navy and Marine Corps locations worldwide to assess field-level SAPR program performance. The Navy hired 66 SARC and 66 SAPR Victim Advocates (VA). The Navy identified locations for additional SARC/VA resources based on sexual assault trend analysis. The Marine Corps has strengthened credentialing requirements for SAPR personnel and increased the number of SARCs and VAs in the field.
- Since 2012, DON-SAPRO has collaborated with Navy and Marine Corps staffs to develop measurable Victim Support Milestones and associated metrics. The goal is to identify key victim-experience milestones in SAPR support and develop measurable performance standard for each. This effort builds on experience since 2011, where sequential audits by the Naval Audit Service, new written standards, and re-engineered processes resulted in dramatically improved 24/7 telephone access to SAPR support for sexual assault victims.
- Since 2012, DON-SAPRO has collaborated with the Department of Justice (DOJ), the Navy Bureau of Medicine and Surgery (BUMED), and local stakeholders to explore the feasibility of telemedicine support for Sexual Assault Forensic Exams (SAFE) at remote sites. Preparatory work and local training began in May 2013 at Naval Hospital Twentynine Palms, and Naval Hospital Jacksonville has since been added as a second pilot site.

- In March 2013, DON-SAPRO collaborated with the USNA to review SAPR victim support processes for Midshipmen. Recommended manpower and process changes focused on ensuring independent and confidential support, along with direct access to senior leadership to support command-level case management. All recommendations have been implemented.
- In 2014, the Navy Chaplain Corps (CHC), in collaboration with DON-SAPRO, is developing "Survivors of Sexual Violence Resiliency Retreats" through the Chaplain Religious Enrichment Development Operation (CREDO) program. These retreats will allow victims to reestablish confidence in themselves and restore wholeness in relationships. Additionally, they will help prior victims to reduce their chances of being re-victimized by sexual predators.

5. LOE—Assessment

• DON Site Visits:

- Since 2009, DON-SAPRO has maintained an active schedule of Departmental site visits to Navy and Marine Corps locations worldwide. Typical visits include discussions with senior commanders, interviews with individual stakeholders, and confidential focus groups. Key stakeholders interviewed separately include the following: the senior enlisted leader, the Sexual Assault Response Coordinator (SARC), the Fleet and Family Support Center (FFSC) Director, Sexual Assault Nurse Examiners (SANEs) and other Naval Hospital medical personnel, Staff Judge Advocates (SJAs), Naval Criminal Investigative Service (NCIS) agents, and Chaplains. Focus groups are conducted as closed sessions with separate groups of Victim Advocates and young (usually gender-specific) Sailors and Marines. During FY2013 alone, in addition to the three special studies below, DON-SAPRO visited 16 sites, interviewed 110 stakeholders, and conducted 14 focus groups with 280 participants.
- During 2010, DON-SAPRO visited large and small Navy and Marine Corps locations (four total) in Southern California to assess impacts of State law mandating sexual assault reporting by healthcare providers. At that time, each facility, in coordination with local law enforcement, had a different approach to State requirements, and no Military Treatment Facility (MTF) performed SAFE exams.
- Later in 2010, a DON-SAPRO team visited Navy and Marine Corps training commands at six locations across the United States to explore unique sexual assault risk factors in training environments, and to identify best practices in combating sexual assaults. Site visits included Great Lakes IL, Parris Island SC, Pensacola FL, Camp Johnson NC, Fort Leonard Wood MO, and Athens GA. The team interviewed commanders and stakeholders, and conducted 17 focus groups with 240 participants. Our summary conclusions were that training environments per se are not inherently problematic, but that concentrations anywhere of very young Sailors and Marines, such as during immediate post-recruit training, are especially vulnerable.

- In November 2011, at the request of Commander, Pacific Fleet, a DON-SAPRO team visited Japan to assist the regional Inspector General by conducting an assessment of command climate and SAPR program issues onboard a ship homeported in Sasebo, Japan.
- During FY 2013, DON-SAPRO conducted an extensive series of site visits to assess Initial Military Training (IMT) environments. In the immediate aftermath of public scandal at Lackland Air Force Base, the Secretary of the Navy had quickly directed DON-SAPRO to conduct site visits at all three Navy and Marine Corps recruit training facilities. These were already scheduled when the Secretary of Defense (SECDEF) issued expanded guidance for all Services to conduct assessments also encompassing initial post-recruit enlisted training sites and initial training programs for commissioned officers. Our agenda was built from prior experience. It was designed to provide credible insight through an exhaustive process of first-hand observations. A DON-SAPRO team visited 23 Navy and Marine Corps training sites nation-wide. The team met with over 200 commanders and stakeholders, and conducted 180 focus groups with 2,570 participants.
- During FY 2013, DON-SAPRO conducted site visits to assess Recruiting Environments. The effort was initially directed by the Secretary of the Navy as follow-on to further explore occasional concerns from recent recruits during our review of Initial Military Training environments (see above). Our agenda was built from prior experience, and site visits to recruiting commands had already been scheduled when SECDEF issued parallel guidance. A DON-SAPRO team visited 27 Navy and Marine Corps locations, including recruiting headquarters, training sites, and local stations, along with recruits in training (to discuss prior recruiter interactions). The team met with over 200 commanders and stakeholders, and conducted 33 focus groups with 530 participants. The team also visited Military Entrance Processing Command and two Military Entrance Processing Stations. They also received data on the Naval Reserve Officers' Training Corps (ROTC) from the Naval Service Training Command.
- During FY 2013, DON-SAPRO conducted site visits to assess SAPR issues unique to Reserve Component settings. A DON-SAPRO team visited 12 Navy and Marine Corps reserve locations, including reserve headquarters, large reserve centers, and isolated small locations. They met with 33 stakeholders, and conducted 32 focus groups with 620 participants. The insights developed during these visits have been incorporated into a separate section of the DON-SAPRO's updated "*SAPR Commanders' Guide*."

- **DON Surveys:**

- In June 2011, DON-SAPRO conducted a Department-wide sexual assault survey intended to update estimates of sexual assault incidence, explore assault circumstances, and identify factors that influence reporting. The survey process was voluntary, anonymous, web-based, and accessible from any computer. Senior leaders encouraged all Sailors and Marines to participate. Over 115,000

active-duty Sailors and Marines (22% of the force) provided responses, including 21% of men and 27% of women.

Key findings suggested the risk of sexual assault correlates closely with young age; 5% of 17-19 year-old females experience penetrating sexual assault each year; and sexual assault risk is identical for comparable Sailors and Marines. Males have a lower risk of being sexually assaulted, but more individual victims are projected in mostly-male military populations. Most male victims and over 40% of female victims don't tell anybody about their sexual assault.

- In May 2013, DON-SAPRO collaborated with USNA to conduct a paper-based, anonymous sexual assault survey of all Midshipmen. The purpose was to explore impressions of command climate, circumstances associated with sexual assault, and reasons for reporting or non-reporting. At the request of DoD, we did not assess the incidence of sexual assault among Midshipmen.

Key findings include negative impressions of existing sexual assault training, and a strong priority on maintaining victim confidentiality.

- In October 2013, DON-SAPRO conducted a follow-on Department-wide sexual assault survey, once again intended to update estimates of sexual assault incidence, explore assault circumstances, and identify factors that influence reporting. As in 2011, the survey process was voluntary, anonymous, web-based, and accessible from any computer or smart phone. Senior leaders encouraged all Sailors and Marines to participate. Over 78,000 active-duty Sailors and Marines (15% of the force) provided responses, including 15% of men and 18% of women.

Key findings suggested that most are now more comfortable reporting a sexual assault; many know of someone who intervened to prevent an assault; and confidentiality is a key concern in reporting. Thirty percent fewer victims of any form of "unwanted sexual contact" were projected in comparison to 2011. Most of that reduction involved non-penetrating assaults, especially among males. The Marine Corps may have achieved initial reductions in penetrating assaults among the youngest female Marines.

- Since 2013, DON-SAPRO has partnered with the Navy Education and Training Command and BUMED to develop and implement a continuous program of sexual assault surveys tailored for young Sailors as they graduate from Navy post-recruit "A" School training. The goal is to assess the incidence of sexual assault at Initial Military Training, explore assault circumstances, and identify factors that influence reporting. The survey process is voluntary, anonymous, web-based, and ongoing. Students are encouraged to participate as they graduate. Survey startup began in August 2013 at Pensacola FL, and quickly was expanded to encompass other large training centers at Great Lakes IL, Meridian MS, Groton CT (Naval Submarine School), and San Antonio TX (tri-Service Medical Education and Training Campus). Initial success has now led sequential implementation at all 19 Navy "A" School locations. Over 9000 Sailors have completed the survey, and participation has recently averaged about 30-40% of all graduates.

Key findings suggest that schoolhouse commanders are actively engaged; command climates are positive; and the incidence of sexual assault is comparably lower in IMT environments. Trends are hard to assess due to seasonal load variations, but the incidence of sexual assault may be diminishing. As expected, substantial numbers of male victims appear, despite their lower overall risk.

- **DON Case Reviews:**

- Since 2009, DON-SAPRO has reviewed and categorized over 1,900 case synopses from NCIS to identify those groups at greatest risk, their alleged assailants, and the circumstances surrounding reported assaults.
- In mid-2013, DON-SAPRO collaborated with USNA to review Command action in all known report of sexual assault involving Midshipmen during the prior five academic years. Results suggested that USNA leadership dealt aggressively with sexual assault cases presented for their action, but that few cases reached that level.

SEXUAL ASSAULT PREVENTION & RESPONSE



KEY POINTS

Sexual Assault

Sexual assaults encompass a broad range of intentional sexual contacts that are unwelcome and without consent. No form of sexual assault is ever acceptable in the Department of the Navy, and all are crimes under the UCMJ. Several sexual assault terms have specific legal definitions that may differ from their common usage here.

Incidence

Anonymous surveys suggest almost 25% of female Sailors and Marines experience some form of sexual assault during their careers, including 6-9% in the past year. Those surveys also suggest 6-8% of female Sailors/Marines have endured rape, forcible sodomy, and/or forced oral sex during their careers, including almost 3% in the past year³.

Reporting

Even for the most serious forms of sexual assault, only 1 in 3 Sailor and Marine victims report the crime to authorities. Roughly 25% of Sailors and 35% of Marines don't tell anyone, including their friends³. The most common reasons for not reporting include feeling uncomfortable making a report, not wanting anyone to know, and fear that they would not be believed³.

Most Vulnerable

The youngest enlisted Sailors and Marines face the highest risk of sexual assault – 3 to 5% of females aged 17-19 endure the most serious forms of sexual assault each year³. Sailors and Marines seem most vulnerable at their first duty stations after recruit training, when they are still new to the military and just out of the very-structured recruit environment.

Offenders

Most Sailor and Marine victims of sexual assault are assaulted by another person in uniform—usually someone they know. Alleged offenders are usually of similar enlisted rank or 1-2 grades senior. Most assaults begin in social settings, both on- and off-base, and both in CONUS and OCONUS.

Experts tell us many offenders are skilled predators who carefully select the most vulnerable targets—often those least likely to be believed if they report. Most perpetrators of sexual violence will do it repeatedly, debunking the misperception that most assaults are “an honest misunderstanding between two people who drank too much” or “miscommunication.” Many assaults are committed by repeat offenders.⁵ This finding has strong implications for your investigations and prevention efforts.

Male Victims

Male victims of sexual assault are less likely to report. Their risk of sexual assault appears lower than for females, but the predominance of males in the Navy and Marine Corps means the projected number of individual male victims may be quite large—similar to or perhaps even greater than the number of female victims.

False Reports

Experts say that consciously false reports are no more common than other serious crimes. Unfortunately, a much larger proportion of cases are difficult to prove.

Alcohol

Alcohol is a pervasive factor. In some cases, offenders use alcohol as a weapon to incapacitate potential victims. Alcohol is never the cause of sexual assault.

Investigation

Sexual assault cases are difficult to investigate. Close coordination with law enforcement and legal is essential for successful prosecutions. In many cases, the key challenge is to provide evidence supporting the victim's non-consent to an undisputed sexual contact.

Bystander Intervention

Bystander intervention is one key element of sexual assault prevention. It emphasizes the moral responsibility of all Sailors and Marines to protect each other and to actively intervene in circumstances that may escalate to sexual assault.



COMMANDER'S GUIDE

TOGETHER WE CAN PREVENT SEXUAL ASSAULTS

CORE RESPONSIBILITIES



VIEWS FROM LEADERSHIP

Set the tone. You are responsible for your command climate. Sexual assault and sexual harassment are unacceptable—period.

Lead by positive example. Sexual innuendo and jokes may get a few laughs, but they send absolutely the wrong message about your expectations. The same is true of irresponsible alcohol consumption and improper personal relationships.

Address factors that contribute to sexual assault situations. Liberty policies and strategies to address alcohol abuse have been used as successful tools in various places. One CO worked with NCIS and local authorities to break up alcohol-fueled hotel-room parties. Senior enlisted have been effective in programs to mentor younger Sailors and Marines.

Take sexual assault reports seriously. Use your Sexual Assault Response Coordinator (SARC) as a key asset. Partner with your SARC as your subject matter expert to help on all SAPR issues.

Remember that a primary concern for many victims is to preserve their privacy as much as possible. Don't accidentally wound them in well-intended group comments.

Respond swiftly and appropriately to stop rumors and gossip surrounding reports of sexual assault.

Forward Unrestricted Reports of sexual assault to NCIS immediately.

Insist on thorough investigations of all reported sexual assaults. You may not be able to go forward or achieve convictions with every case, but thorough investigations will enable appropriate decision making or dispositions, and your approach sends a powerful message in itself.

Make sure that victims have access to local support services, and follow-up on how they are doing. Once again, your SARC is an invaluable resource in this regard.

Make your own conscious plan to protect victims from retaliation and re-victimization. Few things will have worse impacts on your command.

Promote "bystander intervention"—the moral responsibility of all Sailors and Marines to actively protect each other from sexual assault and risky behaviors. Encourage and support those individuals who do stand up to intervene.

Visibly support your SAPR team. Select appropriate victim advocates and ensure they are trained. Attend monthly SAPR Case Management Group (SA CMG) meetings.

Keep information shared regarding reported sexual assaults limited to those with a need-to-know. Respect the victim's right to privacy.

Meet with your SARC within 30 days of assuming command in accordance with DoDI 6495.02 and receive your SAPR toolkit.

Sexual assault continues to be an "insider threat" with serious impacts on our Navy and Marine Corps. Over the past year and a half we have taken important steps to combat this crime, including consistent leadership, new training methods, and victim-centered support efforts. We have seen progress, including an increase in the number of reports which indicates that our Sailors and Marines believe that their reports will be taken seriously and that victim support efforts are working. But we can't stop there. We must continue to strengthen the positive elements of our naval culture, and live up to our commitment to our Sailors, Marines and Civilians who work each day to ensure we provide global presence in defense of our country.

- Honorable Ray Mabus
Secretary of the Navy

We still have this challenge of sexual assault. We are making progress, but we are nowhere near being done. I'd ask you to keep the focus on that, remember what we need to do. You deserve a good command climate, one of dignity and respect. Those of you that are leaders, that are part of that team, I expect you to maintain a climate of dignity and respect, continue to push on that and make sure we are doing the right thing by our sailors

- Admiral Jonathan W. Greenert
Chief of Navy Operations

Sexual assault has no place in our Corps. Sexual assault not only has a long-lasting effect on the individual victim, but it also erodes unit readiness and command climate. I see positive progress and indicators that the Marine Corps SAPR Program is going in the right direction. However, I also believe that there is still much work to do... Marines must all work together to create an environment in which crimes of misconduct are not tolerated in any form.

- General Joseph F. Dunford Jr.,
Commandant of the Marine Corps

STEP UP. STEP IN.

TABLE OF CONTENTS



Sexual Assault in the Department of the Navy

PREVENTION:

PERSONAL LEADERSHIP 4

CLIMATE & ENVIRONMENT 7

PROGRAM LEADERSHIP 11

RESPONSE:

VICTIM RESPONSE 13

SUPPORT SERVICES:

JAG – Legal 22

NCIS 29

CHAPLAIN 32

MEDICAL (Sexual Assault Forensic Exams–SAFE) 33

ADDENDUM:

RESERVE SERVICES 35

ADDITIONAL RESOURCES & REFERENCES 43

Sexual assault involves nonconsensual criminal acts ranging from sexual touching to rape.

Sexual Assault **IS...**

- Intentional sexual contact characterized by use of force, threats, intimidation or abuse of authority or when the victim does not or cannot consent

Sexual Assault **INCLUDES...**

- Rape
- Forcible sodomy (oral or anal sex)
- Other unwanted sexual contact that is aggravated, abusive, or wrongful
- Attempts to commit these acts

Consent **IS...**

- Freely given words or overt acts indicating agreement to sexual activity by a competent person

Consent **IS NOT...**

- Submission due to force or fear
- Implied due to dress or previous sexual relationship
- Possible if someone is substantially impaired due to drugs, alcohol, or unconsciousness

Sexual assault is **OUR** problem.

The following are estimated projections of Sailors and Marines who have experienced rape, forcible sodomy, and/or non-consensual oral sex during the last 12 months³:

- 2,847 Navy victims
- 1,272 Marine Corps victims

Being perpetrated by **OUR** members⁷.

- 69% of perpetrators against Navy and Marine Corps victims were fellow service members

Being perpetrated on **OUR** installations³.

- 51% of assaults against Navy men
- 37% against Navy women
- 60% of assaults against Marine Corps men
- 54% against Marine Corps women

Sexual assault is a **NATIONAL** problem.

- A rape occurs in the United States every 2 minutes⁹
- Nearly 1 in 5, or 22 million women in the United States have been raped in their lifetimes²
- It is the most under-reported crime in America⁸
- Approximately 1 in 71 men in the United States report having been raped in their lifetime, which equals roughly 1.6 million men²



KEY FOCUS GROUP FINDINGS

DON-SAPRO has conducted focus groups with Sailors and Marines around the world. This page identifies some of the common themes and information received from those groups.

Perceptions Regarding Sexual Assault in General

- Concerns: Alcohol, Transition to Fleet, port visits, house parties
- Each installation mentions a specific location, area, or environment that is related to massive alcohol consumption and is perceived as place where Sailors and Marines might be vulnerable to sexual assault
- Spike in reports is related to training and increased comfort in reporting and not related to an increase in incidents
- Male on male low-level abusive sexual contact is common within predominantly male commands (e.g., “nut-tapping” – grabbing testicles)

Perceptions Regarding Training

Recommend/Want:

- Small-Group based and interactive
- Victim testimonials and real case scenarios
- Bystander element
- Edutainment
- More information about perpetrators
- Examples of male victims
- Clarity on consent, on alcohol and consent, and on sexual behavior while intoxicated
- Mixed-gender groups
- Senior leadership attend training

Avoid:

- PowerPoint
- Messaging that “All males are rapists and all victims are women”
- Large group lecture (e.g.: 100+ in an auditorium)

Perceptions Regarding Reporting

- Confidentiality and privacy are seen as easily compromised
- False reports are believed to be pervasive
- Sailors and Marines are more likely to report now when compared to the past
- Males are less likely to report than females
- Knowledge/awareness of who uniformed victim advocates are is not wide-spread

Perceptions Regarding Victim Support

- High-level awareness of and confidence in using available SAPR resources

Perceptions Regarding Accountability

- Believe sexual assault perpetrators are being held appropriately accountable for their behavior

THE MOST POWERFUL IMPACT

You, as a leader, can make it unequivocally known that this issue is a priority to you. If in both formal and informal contexts, those under your command understand they will be held appropriately accountable by you for their response to this issue – the rest will follow.

Core Elements of a Command Environment

What am I responsible for?

The diagram below depicts the key elements of a Commander’s responsibility for Sexual Assault Risk Management. The elements encompass both Prevention and Response strategies as well as support services. Attention paid to these elements has a positive effect on individuals and overall mission readiness. The remainder of this guide is organized according to these elements.





Ask yourself: When you hear about a sexual assault case, how often do you doubt the veracity of the victim's report and instead focus on characteristics of the victim? For example: what the victim was wearing, if the victim had been drinking, if the victim voluntarily invited the alleged offender to his or her room.

Then consider: Victims of sexual assault are far more likely to have been assaulted and never tell anyone of the incident (48% Navy male victims, 32% Navy female victims, 41% Marine Corps male victims, and 38% Marine Corps female victims indicated they told no one of their assault³) than they are to have never been assaulted and made a false report (nationally, 2-10% of sexual assault reports are found to be false, the same as any other major crime.⁴)

Ask yourself: How often are you skeptical of an assault because you feel like you can identify with the alleged perpetrator? "I know this man. He's a good guy. He's a lot like me when I was younger. He's a great Sailor/Marine."

Then consider: In the Navy, only 5% of the sexual assaults committed against women and 8% committed against men were reported to be by strangers. In the Marine Corps, only 8% of the sexual assaults committed against women and 12% committed against men were reported to be by strangers.³ The majority are known to the victim and are often described as "nice guys," difficult to distinguish from those you may like and respect.

"Eliminating sexual assault in the military is one of the Department of Defense's highest priorities. We must continually strive to improve our prevention and response programs."

~ Chuck Hagel, Secretary of Defense

Ask yourself: How often do you assume that a sexual assault is more likely to be a sexual encounter between well intentioned individuals who simply had too much to drink or had a misunderstanding of consent?

Then consider: Every case stands alone. Studies indicate that many of the sexual assaults committed by someone the victim knew are committed by repeat offenders⁵. In one study, the average number of victims for each rapist was seven, and in another study it was eleven¹. Common tactics used to commit the assault include: ignoring victims' efforts to communicate, incapacitating them with alcohol or drugs, physical force, or threats. Every case must be thoroughly investigated by law enforcement so that the facts relevant to that case can be determined.

Ask yourself: Based on your responses to the above questions, how might your biases be impacting prevention and response efforts under your command?

Then consider: What messages can you communicate, formally or informally, that could decrease victim blaming, increase scrutiny of repeated inappropriate behavior, and increase the reporting and help-seeking behaviors of victims?

Eliminating sexual violence is everyone's responsibility, but ultimately your words and actions as a leader, or lack thereof, set the deciding tone. Identifying potential liabilities in terms of misinformation or biases is a crucial first step.

"If we are going to remain the greatest expeditionary fighting force the world has ever known, we cannot allow this to continue. If we are going to protect our shipmates, we cannot allow this to continue. If we are going to remain the Navy and Marine Corps people look up to, and should look up to, this cannot continue."

~Hon. Ray Mabus, Secretary of the Navy



Strategies:

1. Inform yourself and your command team about key aspects of sexual assault. Review SAPR policies to include DoDD 6495.01, DoDI 6495.02, SECNAVINST 1752.4B, and your service specific instructions and orders.
2. Hold those under your command accountable by directly and personally addressing questionable behaviors. Squash rumors and gossip surrounding reports of sexual assault.
3. Visibly support your SAPR team and partner with your SARC.
 - Ensure adequate resources
 - Meet with your SAPR team regularly
 - Communicate to others about the SAPR team's capabilities
 - Make introductions at SAPR programs
 - Ensure subordinate commanders establish a working relationship with the SAPR team
 - Support collaboration and cross-communication with your SARC and first responders
4. Actively involve your senior leadership team.
5. Go to SAPR trainings/conferences. Don't send substitutes.
6. Visibly and consistently express your support for victims and commitment to prevention; and a fair system of justice.
7. Keep information regarding Unrestricted Reports limited to those with a need-to know. Consider how message traffic is controlled.
8. Make it personal. Be "real" when discussing this issue.
9. Make sure awareness of the issue extends beyond Sexual Assault Awareness Month (April). Prompt your leadership with reminders to ensure ongoing attention.
10. Be proactive. Get the message out via multiple venues.
 - Webcast, radio, or TV Show
 - Facebook
 - Website
 - Newcomer briefings
 - Magnets
 - Commander's Access Channel broadcasts
 - Weekly newspaper
 - Mass and targeted e-mail
 - Commander's calls
 - Daily face-to-face communication
 - Integrate message into existing vehicles
11. Engage peer mentoring groups such as Coalition of Sailors Against Destructive Decisions (CSADD) and Single Marine Program (SMP).
12. Share your best practices with fellow Commanders.

Ask yourself:

What is the real impact of a few off-color jokes, a couple of sexual advances, or over consumption of alcohol to my command climate and ultimately my mission readiness?

Then consider:

Environmental factors in the military associated with an increased likelihood of sexual assault include:

- Sexual harassment allowed by superiors
- Unwanted sexual advances or remarks
- Environments where superiors engaged in quid pro quo behaviors, such as when a superior makes inappropriate demands to a subordinate
- Environments where irresponsible consumption of alcohol is glamorized

A hostile climate decreases the likelihood victims will report, thus diminishing your opportunities to hold offenders appropriately accountable.

According to the DON-wide survey in 2013, self-identified victims of sexual assault stated they did not report due to the following barriers:

- They did not want anyone to know – 47% of Navy female victims, 52% of Marine Corps female victims, 24% of Navy male victims, and 22% of Marine Corps male victims.³
- They thought it was not important enough to report – 45% of Navy female victims, 40% of Marine Corps female victims, 42% of Navy male victims, and 39% of Marine Corps male victims.³
- They felt uncomfortable making a report – 42% of Navy female victims, 46% of Marine Corps female victims, 26% of Navy male victims, and 25% of Marine Corps male victims.³

"It is up to us to declare and commit we will not tolerate sexual assault in our Navy and our Marine Corps."

~Hon. Ray Mabus, Secretary of the Navy



Ask yourself: What might a potential offender be thinking if he or she notices leadership is silent in the face of a vulgar e-mail or sexist comments?

- Then consider:** Officer and enlisted leadership is essential.
- While most who laugh at an off-color joke or forward an inappropriate email do not commit sexual assault - those who do commit this violence often mask and justify their behavior within climates where such behavior is condoned or ignored. Just as peers may provide inadvertent cover for offenders, they are also a very effective tool in both the prevention and response arenas. Emphasize the important role Sailors and Marines can play as active bystanders. Armed with basic education and training on resources and intervention strategies, they are a force multiplier.
 - A study by Sadler (2003) shows the occurrence of the ranking officer initiating or allowing others in the unit to make sexually demeaning comments or gestures in a service woman's presence has been associated with a three- to four-fold increase in the likelihood of rape.⁶
 - "Women reporting hostile work environments had approximately six-fold greater odds of rape...When officers engaged in quid pro quo behaviors, women reported a five-fold increase in rape. Officers allowing or initiating sexually demeaning comments or gestures towards female soldiers was associated with a three to four-fold increase in likelihood of rape."⁶

- Strategies:**
1. Communicate clearly and often that there is a direct link between achieving your organizational goals and ensuring each Sailor/Marine feels safe and productive in his or her office.
 2. Emphasize the importance of professional military culture and responsibilities including bystander intervention strategies.
 3. Increase oversight and accountability for behaviors in the day-to-day workplace and living/community areas.
 4. Conduct periodic surveys (DEOCS) to assess elements of your climate. Work with your leadership team to address the elements of greatest concern.
 - Meet with your SAPR team to discuss climate and environment issues.
 - Solicit information on climate concerns from groups in unique positions to observe, including Command Climate Surveys.
 - Conduct informal "walk around" assessments within the command.
 - Talk to people in work areas informally about the climate and environment
 - Integrate practical safety tips into orientation (locking doors, responsible alcohol use)
 - Listen for concerns with personnel in family and youth areas
 - Walk the grounds at night
 - Ensure all maintain standards of good order and discipline
 - Conduct no-notice inspections of barracks/ships/workspaces
 - Be clear about your "boundaries" of behavior
 - Talk to your leaders about expectations
 5. Encourage peer mentor groups such as CSADD and SMP.



Gender-focused jokes or innuendo; sexual comments or pictures

Inappropriate advances or behavior

Touching, pinching, fondling, groping

Threats, blackmail, sexual bribery

Rape, sodomy, physical force



6. In both formal and informal settings, set the standard for behavior and communication that you want emulated. Challenge your Sailors/Marines to act in the following areas:
 - Address behaviors, conduct and attitudes across the Continuum of Harm (see page 8).
 - Ensure respect for victims and respect for the investigation and disposition processes.
 - Prohibit intimidation, retribution, and/or reprisal of any kind after a report has been made.
7. Encourage all leaders to make active efforts to stay current and responsive to climate concerns.
8. Do not tolerate sexually demeaning conduct.
9. Develop a climate within which bystanders feel empowered to act.
 - Support the Bystander Intervention Training programs (e.g.: the Navy's BI2F and the USMC's Take A Stand).
 - Encourage Sailors and Marines to take action in the face of destructive behaviors that could lead to a potential sexual assault.
 - Have leadership introduce key trainings and events pertaining to sexual assault prevention and response.
 - Acknowledge Sailors and Marines who intervene or speak up in potentially high-risk situations.

"Sexual assaults undermine teamwork, morale, unit cohesion and operational readiness. It is our duty to ensure that the conditions are established where every Sailor is treated with dignity and respect."

-MCPON Michael Stevens

Ask yourself:

Does your command know your policy on sexual assault?

Then consider:

Sexual assault is completely unacceptable in the Navy and Marine Corps. Your ultimate goal as a leader is a command climate of gender respect where sexual assault is never tolerated and ultimately is completely eliminated.

There is no single easy method to prevent sexual assault. It will require our sustained commitment to multiple approaches – mentoring young Sailors/Marines; confronting alcohol issues; educating all Sailors/Marines about our shared responsibility as bystanders; and actively eradicating sexism and sexual harassment whenever encountered.

Studies show that a coordinated response by a multi-disciplinary approach improves a victim's experience as well as offender accountability.

Strategies:

1. Meet with your Sexual Assault Response Coordinator (SARC) within 30 days of taking command.
2. Establish a command climate of sexual assault prevention that is predicated on mutual respect and trust, recognizes and embraces diversity, and values the contributions of all its members. Be visible in your support and promotion of the SAPR program.
3. Carefully select those who will fill SAPR program roles in your command. Consider the sensitivity and maturity required in dealing with these issues. Ensure they are trained and Victim Advocates (VA) are credentialed.
4. Maximize each opportunity to interface with first responders. Build relationships with your SARC, law enforcement, legal, chaplains, and health care providers.
5. Invite your SARC to be present at all SAPR trainings and activities. Support your SARC when there are events. Let it be known you expect leaders in all echelons, both officer and enlisted, to be present and follow up if they are not.
6. Create opportunities for collaboration (e.g., training for first responders, host/participate in symposiums, awareness events, etc.) to showcase Command policy and address the issue of eliminating sexual assault.

PROGRAM LEADERSHIP



VICTIM RESPONSE

Strategies:

“Commanding officers are responsible for setting and enforcing a command climate that is non-permissive to sexual assault, a climate in which the spirit and intent of the orders and regulations that govern the conduct of our duties will be upheld. There are a number of leadership styles, but the result of any of them must be a group of Marines and Sailors who have absolute trust in their leaders. Trust in the commander and fellow Marines is the essential element in everything we do. Developing this trust, dedication, and esprit de corps is the responsibility of the commanding officer. They do this by setting standards, training to standards, and enforcing standards.”

- Gen. Joseph F. Dunford Jr.,
Commandant of the Marine Corps

7. Ensure appropriate SAPR training is conducted for all members of your command.
8. Foster an environment that promotes and rewards bystander intervention.
9. Ensure your SARC is notified of all sexual assault reports and a VA is provided.
10. Refer all reports of sexual assault to NCIS, or the appropriate MCIO, for investigation. DO NOT conduct internal command-directed investigations or delay contacting NCIS, or the appropriate MCIO, while attempting to assess the credibility of the report.
11. Follow sexual assault response protocols for Unrestricted Reports. (Available from your SARC.)
12. Chair or attend the monthly Sexual Assault Case Management Group (SACMG or CMG), as appropriate.
13. Provide victims with Unrestricted Reports monthly updates regarding the current status of their case within 72 hours of the last SACMG or CMG.
14. Protect sexual assault victims from coercion, discrimination, retaliation, and/or reprisals.
15. Protect SARCs and VAs from coercion, discrimination, or reprisals related to the execution of their SAPR duties and responsibilities.
16. Make a rapid determination on Expedited Transfer Requests. Service members who file an Unrestricted Report of sexual assault have the option to request a temporary or permanent expedited transfer from their assigned command or installation, or to a different location within their assigned command or installation.
17. Ensure proper investigation of allegations while also understanding and communicating that the accused is presumed innocent until proven guilty.
18. Understand and respect the rights of the accused.
19. Know the resources that surround your base. This is particularly critical for non co-located Reserve units who rely on community-based resources (e.g., rape crisis centers, shelters).

Ask yourself:

What does a victim look like?

Then consider:

Victims of sexual assault are trauma victims. Trauma affects everyone differently. There are preconceived notions of how a “real” victim of sexual assault should look and act, as well as respond. When a victim does not conform to these expectations, often the veracity of his or her experience is doubted.

Ask yourself:

Why is reporting often delayed?

Then consider:

A victim may not report right away for a variety of reasons, including fear of the perpetrator; public humiliation; a hostile environment for victims; fear of being disbelieved or blamed due to collateral misconduct (underage drinking, substance use); and blaming themselves for the assault.

Ask yourself:

Why don't victims fight back?

Then consider:

Victims may be incapable of resisting due to intoxication, or may submit out of fear, to avoid further harm or heightened violence, or due to a physiological reaction, and/or because of perpetrator threats.

Ask yourself:

Are most victims hysterical or emotional?

Then consider:

There is not one “typical” response for victims of sexual assault.

Ask yourself:

Are most victims expected to be able to provide accurate recollections of their trauma?

Then consider:

It is well established that memory processing is disrupted during traumatic events. Commonly occurring psychological reactions to trauma may impair a victim's ability to accurately recollect and talk about their sexual assault.

VICTIM RESPONSE



VICTIM RESPONSE

Ask yourself: What do you do when you don't really believe the victim?

Then consider: As a leader, it is essential that you follow the process and maintain objectivity. Take every case seriously. Each allegation of sexual assault should be considered independent of victim's character, behavior, or other allegations of past or present victim misconduct.

Ask yourself: When I think about sexual assault, how often do I think only of female victims?

Then consider: There are additional stereotypes and myths that impact men's ability to face their sexual assault and seek support or services, including:

- Men are immune to victimization.
- Men should be able to fight off attacks.
- Men shouldn't express emotion.
- Men enjoy all sex, so they must have enjoyed the assault.

These are NOT true!

Ask yourself: What are my assumptions about sexual assault offenders?

Then consider: When the victim was a Navy female, the perpetrator was a coworker 48% of the time, and another military service member 25% of the time. For Marine Corp female victims, the perpetrator was a coworker 47% of the time, and another military service member 24% of the time. When the victim was a Navy male, the perpetrator was a coworker 39% of the time, and another military service member 19% of the time. When the victim was a Marine Corps male, the perpetrator was a coworker 38% of the time, and another military service member 18% of the time.³

"If an assault occurs, we have to support sexual assault victims and encourage them to seek help."

~ Hon. Ray Mabus, Secretary of the Navy

Ask yourself: Why won't victims just report so we can hold the offenders appropriately accountable?

Then consider: This is a question often asked by leadership out of well-intended frustration at feeling helpless to act in the face of an assault. The reality is that reasons victims gave for not reporting include things within a Commander's reach to address. These include:

- Did not want superiors to know
- Fear of being treated badly if they report
- Concern for protecting their identity
- Did not trust the reporting process
- Afraid of retaliation by either their command or socially by their peers
- Thought nothing would be done
- Perception they could handle it on their own

The responsibility for an increase in reporting is not the victim's. Note what is being communicated within your command that may contribute to barriers to reporting, and address it. An increase in reporting will be unlikely until the response is strengthened and improved.

"If we prove to our young men and women who have been assaulted that we are serious about changing this culture, perhaps we'll get the reporting."

- Honorable Robert O. Work

Under Secretary of the Department of Defense

VICTIM RESPONSE



VICTIM RESPONSE



Strategies:

1. Take every case seriously and make sure your concern is apparent.
2. Protect victims from re-victimization and retaliation.
3. Ensure victims receive needed support—best done in coordination with the SARC.
4. Insist on a thorough investigation of every Unrestricted Report of sexual assault.
5. Respect victims’ choices about reporting. If a victim chooses Restricted Reporting, respect that choice and trust your team to work the process.
6. If possible, defer action on issues of collateral misconduct while sexual assaults are being investigated and decided upon.
7. Ensure that transfer requests are expeditiously processed (72 hours).
8. Ensure adequate attention is paid to the selection, training and oversight of the SAPR team (SARC, VA/UVA, POC, DCC, SAPR Command Liaison).
9. Make sure the SAPR team has command access and support.
 - Attend the monthly SAPR Case Management Group (SACMG or CMG) meeting
 - Speak at VA/UVA training (e.g.: welcome participants)
 - Do not pressure SARCs or VAs/UVAs to disclose Restricted Reports
10. Ensure training for first responders is available and effective (medical, NCIS, VA/UVA, SARC, chaplains, VLC, JAG).
11. Ensure first responders are collaborating and doing their work effectively.
12. Ensure a strong Victim Witness Assistance Program (VWAP).
13. Remember that complications and delays occur in military and civilian courts. These cases are rarely resolved quickly.
14. Ensure case outcomes are thoroughly reviewed and communicated to each victim by you as the Commander.

Reporting Options:

Unrestricted Reporting:

There are two reporting options available: Unrestricted and Restricted, defined below.

A process used by an eligible individual to disclose that he or she is the victim of a sexual assault. Under these circumstances, the victim’s report to the SARC, healthcare personnel, a VA/UVA, command authorities, or other persons are reportable to law enforcement and may be used to initiate the official investigation process.

Restricted Reporting:

A process used by an eligible individual to report or disclose that he or she is the victim of a sexual assault to specified officials on a requested confidential basis. Under these circumstances, the victim’s report and any details provided to the SARC, healthcare personnel*, or a VA will not be reported to law enforcement to initiate an official investigation unless the victim consents or an established exception is exercised under DoD Directive 6495.01.

Restricted/Unrestricted Reports		
RESTRICTED		UNRESTRICTED
Yes	CONFIDENTIALITY	No Sensitive/need to know
Active Duty and Reservists on Active Status, and their dependents 18 years or older	ELIGIBILITY	All personnel
No	LAW ENFORCEMENT INVESTIGATION	Yes
No	COMMAND INVOLVEMENT	Yes
Available	SEXUAL ASSAULT KIT	Available
Available*	MEDICAL SERVICES	Available
Available	COUNSELING SERVICES	Available
Available	VICTIM ADVOCATE SERVICES	Available
Available	VICTIMS' LEGAL COUNSEL SERVICES	Available

*In some states, including CA, medical providers are required to report sexual assault to law enforcement, and cannot offer a Restricted Report.

VICTIM RESPONSE



VICTIM RESPONSE

Why the Restricted Reporting Option Is Critical

The Restricted Reporting option is a critical tool in the organizational response to sexual assault. It is the option developed specifically to increase mission readiness and increase reporting by addressing the initial needs of a victim for more control over their environment – including time, privacy, and medical and emotional support. It is best described as a window into information previously unknown. Prior to this reporting option, most victims of sexual assault simply attempted to deal with the trauma on their own and hoped they could still function in their personal and professional lives. As this is a very difficult trauma to successfully self-treat, some struggled on and many others departed the Navy and Marine Corps, often for reasons related to their trauma.

While the goal is to have every Restricted Report go Unrestricted, some victims may never go beyond the Restricted Reporting step. Others will find themselves able to move their report into the Unrestricted realm in due time, and not only get help for themselves but also participate in holding their offender appropriately accountable.

Honoring a victim's choice for Restricted Reporting is critical. It demonstrates our commitment to support victims of sexual assault in ways that are relevant to them, in spite of the fact that it delays an investigation into the allegation and your ability as leaders to "care for your Sailors/Marines."

"You will all be counted on to lead in helping eliminate sexual harassment and sexual assault of your sisters and brothers in uniform. You've seen what these crimes do to the survivors, their families, institutions and communities. You know how they tear people and units apart, how they destroy the bonds of confidence and trust at the very core, the center, the heart, of our military. We're all accountable. From new recruits to four-star admirals and generals, from second lieutenants to the secretary of defense, we all have to step up and take action when we see something that hurts our people and our values."

– Chuck Hagel, Secretary of Defense

Respecting a victim's choice for this option demonstrates that you and the Navy and Marine Corps care about him or her first, and the desire to investigate the crime second. This is very important as victims strive to adjust to the shock of their circumstances, regain their bearings, and prepare to move forward.

Rest assured that your SAPR team is working with victims to help them understand the importance of an immediate Sexual Assault Forensic Exam (SAFE) kit to preserve evidence for future use. The SARC is also working to help them understand the process of changing to an Unrestricted Report if and when they want.

Initial medical care, both physical and mental, coupled with quality time to work with a SARC and VA creates a safe zone for victims. This tends to translate into a victim being much more willing to participate in the investigative and disposition process.

Bottom Line: A Restricted Reporting option puts the victim's voice first, ensures they get immediate help, and may eventually improve the Commanders ability to pursue an alleged perpetrator on a case converted to Unrestricted that may have been otherwise unknown, while helping a victim more quickly return to mission ready status.

I am committed to eliminating sexual assault and together, we must provide a comprehensive and synchronized effort to ensure the entire Department is aligned in working towards this goal.

–Hon. Ray Mabus, Secretary of the Navy



Reporting Options Eligibility

Active Duty:	<p>Eligible to file a Restricted Report or Unrestricted Report</p> <p>Full SAPR support services from a SARC and a SAPR Victim Advocate (VA)</p>
Reservists:	<p>Eligible to file a Restricted Report or Unrestricted Report</p> <p>When sexually assaulted while performing active service and inactive duty training, have full SAPR support services from a SARC and a SAPR VA</p> <p>When sexually assaulted prior to entering service or while not performing active service or inactive training (civilian status), have immediate crisis SAPR support services from a SARC and SAPR VA and connected to appropriate resources</p>
Military Dependents:	<p>Eligible to file a Restricted Report or Unrestricted Report if they are:</p> <ul style="list-style-type: none"> • 18+ years old • Eligible for treatment in the military healthcare system • At installations CONUS and OCONUS • Victims of sexual assault perpetrated by someone other than a spouse or intimate partner <p>Full SAPR support services from a SARC and a SAPR VA</p> <p><i>(The Family Advocacy Program covers adult military dependent sexual assault victims who are assaulted by a spouse or intimate partner, and military dependent sexual assault victims who are 17 years old and younger.)</i></p>

Reporting Options Eligibility Continued

Civilians Eligible for Treatment in Military Healthcare Facility:	<p>Eligible to file an Unrestricted Report</p> <p>Immediate crisis SAPR support services from a SARC and SAPR VA and connected to appropriate resources</p> <p>Civilian Employee Assistance Program (CEAP)</p> <p>(e.g. dependents, retirees, civilians stationed or performing duties OCONUS)</p>
All Other Civilians:	<p>Follow civilian reporting options for their State/Region</p> <p>Immediate crisis SAPR support services from a SARC and SAPR VA and connected to appropriate resources</p> <p>Civilian Employee Assistance Program (CEAP)</p>

“Sexual assault has no place in our Corps. It shatters the trust that must exist between Marines. All of us have a moral obligation to our fellow Marines in preventing sexual assault and to support any Marine or Sailor who falls victim to this crime.
 ~ Sgt. Maj. Michael P. Barrett, Sergeant Major of the Marine Corps



**Sexual Assault
Investigative and
Court-Martial
Processes**

Allegations of sexual assault trigger specific investigative responses and command requirements unlike those required for allegations of other crimes. Your close coordination with your SJA and trial counsel is critical to a thorough investigation and a fair and effective disposition process. Your legal advisors and SAPR team receive extensive training on how to handle allegations of sexual assault and should be consulted concerning any question you have about these processes or any military justice concerns. What follows is a general description of the investigative and disposition process, to include referral of charges to court-martial.

**Unrestricted Reports
and the Investigative
Process:**

Unrestricted Reports are fully investigated and reviewed for prosecution or other disposition. All allegations of sexual assault, both penetration and contact offenses, must be reported immediately to NCIS, who will open an investigation. While already required by DoDI 6495.02, Section 1742 of the FY 14 National Defense Authorization Act (NDAA) now also mandates that unit commanders who receive Unrestricted Reports of sexual assault must immediately refer the matter to the servicing military criminal investigation organization (e.g. NCIS).

**Expedited Transfers,
Victim Safety, and
the Investigative
Process:**

Victims may request an expedited transfer to another command or duty station. Rather than transferring the victim after a report of sexual assault, commanders may instead transfer the suspect. However, no action against a suspect should be made until after consultation with NCIS and the command's staff judge advocate or legal advisor. Military protective orders are often issued against the suspect, ordering the suspect to have no further contact with the victim, but should only be issued after consultation with NCIS so it does not interfere with the ongoing investigation. During the investigation, NCIS will interview the victim to document what happened. NCIS will also interview other witnesses and gather any evidence present at the crime scene. When the investigation is complete, NCIS will send the investigation to the suspect's commanding officer for appropriate disposition.

Victim's Legal Counsel

Background: Program to provide independent legal counsel to eligible sexual assault victims. This responsibility has been codified in Section 1716 of the FY 14 NDAA.

Mission: VLCs are attorneys working to protect and preserve the rights and interests of Navy and Marine Corps sexual assault victims, and in the case of investigation and prosecution, to assure victims understand the process, can exercise their rights, and are able to effectively participate by having a voice in the process.

Duties: VLCs form an attorney-client relationship with eligible victims. All communications between VLCs and their clients are confidential and privileged. VLCs advise victims on sexual assault reporting options; provide legal representation and advice during the investigative and court-martial process; advocate on the victim's behalf; represent the victim in military justice proceedings where the victim has an interest and right to be heard by the court; and provide other legal advice and services connected with a report of sexual assault. VLCs cooperate and coordinate with other support providers including SARCs, VAs, chaplains, and medical personnel, to provide full spectrum assistance to victims.

Eligible Victims: Eligible victims include Navy and Marine Corps active-duty, Navy and Marine Corps Reserve personnel while on active duty or on inactive-duty training at the time of the assault, other service personnel and retirees when assaulted by an active-duty Navy and Marine Corps member, adult and child dependents of active-duty Navy and Marine Corps members when assaulted by an active-duty Navy and Marine Corps member, and some overseas DON civilians. Other Reserve personnel may be eligible on a case-by-case basis.

VLC Contact: Victims can seek assistance from a VLC at any point following a sexual assault. Victims are not required to contact or consult with a VLC – the choice remains with the victim. When contacted, VLCs will immediately form an attorney-client relationship with an eligible victim and provide legal advice, assistance, and advocacy for that victim as appropriate. Victims can contact a VLC directly or seek VLC contact from other support personnel including SARCs, VAs, trial counsel, NCIS, SJAs, chaplains, and medical providers.



Crime Victim Rights

Throughout the entire investigative and military justice process, the victim has certain rights. For example, a victim has the right to communicate, typically through the VLC or trial counsel, his or her position regarding disposition decisions of the case. Although the convening authority is not bound to dispose of the case as the victim desires, the victim's views must be carefully considered. Article 6b of the UCMJ, is a new statute that applies, with minor modifications, the federal Crime Victims' Rights Act to victims of crimes under the UCMJ at all stages of the military justice process.

Those rights include:

- Be reasonably protected from the accused;
- Reasonable, accurate and timely notice of:
 - 1) public pretrial confinement hearings of the accused;
 - 2) preliminary hearing under Article 32;
 - 3) court-martial proceedings;
 - 4) public proceedings of the clemency and parole board;
 - 5) release or escape of the accused;
- Not to be excluded from any public court proceeding related to the offense, unless the preliminary hearing officer or military judge determines by clear and convincing evidence that the victim's testimony would be materially affected if he or she heard other testimony at the preliminary hearing or trial;
- To be reasonably heard at the following:
 - 1) public pretrial confinement hearings of the accused;
 - 2) sentencing hearing related to the sexual assault offense; and
 - 3) public proceeding at the clemency and parole board;
- Confer with the trial counsel;
- Receipt of available restitution, if appropriate;
- Proceedings free from unreasonable delay;
- Be treated with fairness and respect for dignity and privacy.

Additionally, in the FY 14 NDAA victims were provided the right to submit matters to the Convening Authority prior to action being taken on the findings and sentence following conviction in a court-martial.

The Navy and Marine Corps established a Victims' Legal Counsel (VLC)

Convening Authority Decisions

SA-IDA: Depending on the offense alleged, the investigation may need to be forwarded up the chain of command to a Sexual Assault Initial Disposition Authority (SA-IDA). The SA-IDA is at least a captain/colonel (O-6) who is a Special Court-Martial Convening Authority.

Offenses: The offenses that require forwarding to the SA-IDA are those that involve allegations of penetration, offenses of rape, sexual assault and forcible sodomy, and attempts to commit these offenses.

Case Procedure: The SA-IDA will, after consulting with his or her Staff Judge Advocate and trial counsel, determine how the case should proceed. If there are allegations of collateral misconduct by the victim then disposition of those alleged offenses are also withheld to the SA-IDA. If the SA-IDA decides that there is sufficient evidence of an offense of sexual assault, they may proceed towards a court-martial. Before any case can be sent to a General Court-Martial, an Article 32 preliminary hearing must be conducted (unless waived by the accused). Depending on the nature of the offenses alleged, the SA-IDA may also dispose of the allegations at a summary or special court-martial, non-judicial punishment, process the accused for administrative separation, or other administrative means. Penetration offenses may only be referred to General Court-Martial and some decisions to not refer charges to a court-martial must be submitted for higher level review. Consult your legal advisor for specific advice for these cases.

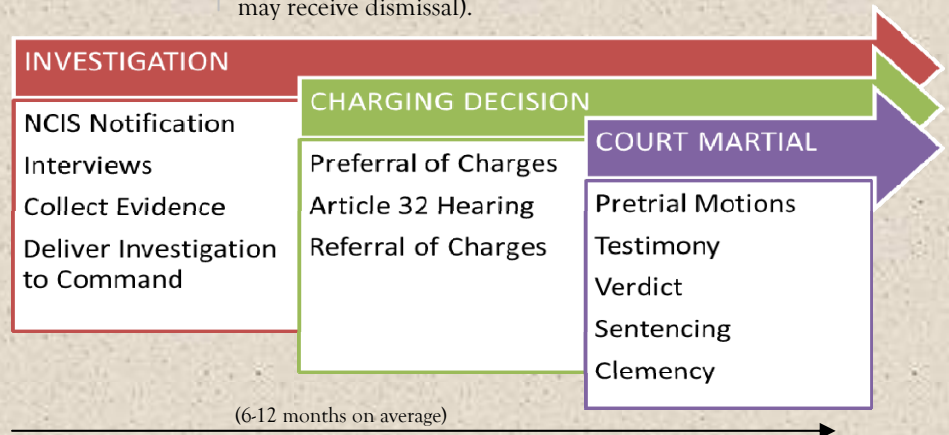
Court-Martial Process: The court-martial process is initiated when charges are preferred (sworn to), and will proceed differently depending on the type of court-martial. The three types of courts-martial each have different maximum punishments that can be adjudged. A Summary Court-Martial cannot adjudge confinement exceeding one month for enlisted personnel, may not confine an officer, and a punitive discharge may not be adjudged for either officers or enlisted personnel. The maximum punishment for a Special Court-Martial is a bad conduct discharge and confinement for one year for enlisted only and may not confine or discharge an officer. A General Court-Martial can adjudge a dishonorable discharge (or a dismissal for officers) or a bad conduct discharge, and depending on the maximum punishment allowed per offense, in some cases may adjudge death or a period of confinement up to life without the possibility of parole for officer or enlisted.



Trial Counsel:	A trial counsel (prosecutor) begins working a sexual assault case with NCIS during the investigation. Trial counsel and the VLC (if the victim is eligible for and requests one) will explain to the victim all of his or her rights under the UCMJ and explain the military justice process to the victim as the case moves forward. Trial counsel are specially trained for prosecuting sexual assault cases as part of a congressionally required special victim capability.
Charges Preferred:	Once charges are preferred, the suspect becomes known as the accused and is provided a military defense counsel to represent him or her. Depending on the nature of the charges, they may be immediately referred to a summary court-martial or special court-martial, but before a case can proceed to a general court-martial, the accused has the right to have the charges considered at an Article 32 preliminary hearing.
Article 32 Preliminary Hearings:	The accused will be present at the Article 32 preliminary hearing and will be represented by counsel who may cross-examine witnesses called by the government. The preliminary hearing officer will hear evidence and produce a written report, which will include findings as to whether there is probable cause to believe that the accused committed the offenses charged and a recommendation on forum for disposition of the charges. Based on the preliminary hearing officer's report, the recommendation of the staff judge advocate, and the decision of the SA-IDA as applicable, a General Court-Martial convening authority may refer the charges to a General Court-Martial. For some less serious offenses, the convening authority may also refer the charges to a summary or Special Court-Martial or impose NJP or, if appropriate, may dismiss the charges.
Elevated Review:	As a result of Section 1744 of the FY 14 NDAA, there are two new requirements for reviewing decisions not to refer charges to General Court-Martial in certain cases. In cases involving UCMJ offenses of rape, sexual assault, forcible sodomy and attempts to commit these offenses, where the General Court-martial Convening Authority SJA recommends referral in Article 34 advice and the Convening Authority declines to refer any charges, then the case must be forwarded to the Secretary of the Navy for review. Where the General Court-martial Convening Authority SJA recommends not referring charges and the Convening Authority agrees, the case must be forwarded and reviewed by the next superior commander authorized to exercise General Court-martial Convening Authority.

Court-Martial

Judge or Panel:	If the case goes to court-martial, the accused may elect to be tried by a military judge alone or by a panel of "members" who serve as jurors. If the accused is enlisted, he or she can also request that at least one-third enlisted members serve on the panel. The trial counsel will work with the victim, the VLC, and the VA throughout the trial process.
Victim Testimony:	The victim will normally have to testify at the trial and may also have to testify in pre-trial motions sessions. Both the prosecution and defense can call witnesses and present evidence during the trial.
Verdict and Sentencing:	Before an accused can be found guilty, the members or military judge must be convinced of the accused's guilt beyond a reasonable doubt. If the accused is found guilty, the case will proceed to the sentencing phase, during which the military judge or members will decide what punishment to adjudge. During the sentencing hearing, both sides may again call witnesses to testify to help determine an appropriate sentence. The victim can testify about the impact of the sexual assault, which may include the emotional, physical, and financial suffering the victim experienced. If confinement is adjudged, it will ordinarily begin immediately after the sentence is announced at the end of the court-martial. As part of the sentence, an accused may also be reduced in rank, required to forfeit pay and allowances, and/or be discharged from the Navy with a bad conduct or dishonorable discharge (officers may receive dismissal).





Unlawful Command Influence (UCI)

The following are the “10 Commandments” of UCI to assist commanders and other members of the unit in the lawful exercise of their UCMJ authorities:

1. The commander may not order a subordinate to dispose of a case in a certain way.
2. The commander must not have an inflexible policy on disposition or punishment.
3. The commander, if also an accuser, may not refer the case.
4. The commander may neither select nor remove court members in order to obtain a particular result in a particular trial.
5. No outside pressure may be placed on the judge or members to arrive at a particular decision.
6. Witnesses may not be intimidated or discouraged from testifying.
7. The court decides punishment. An accused may not be punished before trial.
8. Recognize that subordinates and staff may “commit” command influence that will be attributed to the commander, regardless of his or her knowledge or intentions.
9. The commander may not have an inflexible attitude towards clemency.
10. If a mistake is made, raise the issue immediately.

Initiation of an Investigation:

The US Naval Criminal Investigative Service (NCIS), US Army Criminal Investigation Division (USACID), and the US Air Force Office of Special Investigations (AFOSI) comprise the Military Criminal Investigative Organizations (MCIOs). DoD Instruction 5505.18 requires **all** Unrestricted Reports of sexual assault against adults be immediately reported to the cognizant MCIO, regardless of the severity of the allegation. NCIS will initiate investigations of **all offenses** of adult sexual assault of which they become aware that occur within their jurisdiction regardless of the severity of the allegation. When NCIS becomes aware of an allegation of adult sexual assault, the Restricted Reporting option is no longer available to the victim. NCIS will pursue a criminal investigation with or without the victim’s cooperation. Off-base incidents or incidents outside of exclusive federal jurisdiction often result in local law enforcement maintaining primary jurisdiction. When local law enforcement maintains primary jurisdiction, NCIS will provide assistance as requested and will generally monitor the investigation when a service member is the subject. In the event the local law enforcement agency defers to NCIS or terminates its investigation, NCIS may assume the investigation and continue to a logical conclusion. Jurisdiction is a vital issue and Commanders are encouraged to proactively discuss jurisdiction with their staff judge advocate, trail counsel, and local NCIS office.

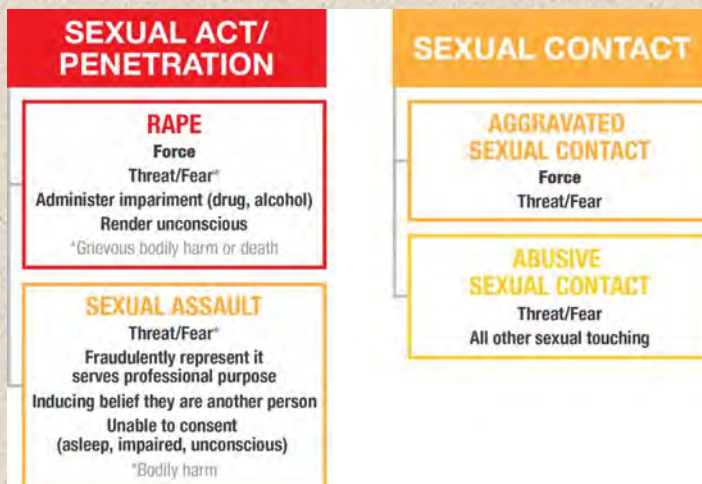
Investigative Process:

Investigative procedures and practices are standardized for an investigation. However, some investigative procedures may be precluded depending on the circumstances of an individual investigation. Forensic examination of the victim is recommended by DoD for incidents occurring within seven days of the report and evidence is often recovered for incidents occurring fourteen days prior to the report.

In general, the sequence of investigative activity is;

- 1) initial contact with the victim to determine the basics of the allegation;
- 2) forensic exam of victim (if applicable);
- 3) crime scene examination (typically concurrent with forensic exam);
- 4) in-depth victim interview;
- 5) witness interviews;
- 6) subject interview;
- 7) forensic lab examination (if applicable);
- 8) follow-up leads developed from previous investigative activity.

UCMJ — Article 120 Offenses





**Investigative
Process
Continued:**

Within 48 hours of receiving a report of sexual assault, NCIS contacts specially trained local trial counsel who work with NCIS as part of the Navy and Marine Corps Special Victim Capability. In each investigation, NCIS attempts to identify and collect evidence. Often, evidence is located on cell phones, tablets, computers and other electronic media storage devices. The collection of these items always impact the victim and subject, and may lead to frustration with NCIS, the command, and the military justice process. In the majority of cases, the victim knows and has communicated with the suspect prior to and after the assault. Many times, both suspect and victim communicate with others regarding the assault. Properly securing the content of these communications is vital to the investigation. Commanders should work with NCIS to explain to impacted victims and subjects the necessity of evidence collection and collaboratively identify solutions that may reduce the impact.

It is important to note, each investigation is unique, which makes it impossible to predict the time required to complete. NCIS strives for thorough and timely investigations but NCIS will not sacrifice thoroughness for timeliness.

**Final
Disposition:**

DoDI 5505.18 requires the Commander of the service member who is the subject of an adult sexual assault investigation to provide the MCIO, in writing, all disposition data, to include any administrative, non-judicial punishment or judicial action taken as a result of the investigation. On August 11, 2014, the Secretary of the Navy issued ALNAV 061/14 to implement the new Sexual Assault Disposition Report (SADR). For Navy commands, the alleged offender's commander or commanding officer shall complete the SADR NAVPERS 1752/1. For USMC commands, the convening authority who disposes of the sexual assault allegation, shall ensure completion and submission of the USMC SADR Form. Disposition data provided to NCIS ultimately is reported in the DoD Annual Report on Sexual Assault in the Military, as well as other high-profile reports. Disposition data is a significant element within the SAPR program.

**NCIS Adult
Sexual
Assault
Program:**

NCIS maintains a worldwide capability to respond to allegations of sexual assault. In every region, NCIS has Family and Sexual Violence investigators who are trained and capable of conducting sexual assault investigations. In large fleet concentration areas, NCIS established the Adult Sexual Assault Program (ASAP) teams who are solely dedicated to conducting sexual assault investigations. As part of the investigative process, NCIS Family and Sexual Violence investigators participate in the multidisciplinary committees supporting each installation and are available to support each command. Continuity is a cornerstone of the ASAP concept. In remote locations or on smaller installations, NCIS provides equally trained and capable investigators.

Prevention:

In partnership with the U.S. Navy and U.S. Marine Corps, NCIS conducts a Crime Prevention and Awareness Program. Each quarter, NCIS, in collaboration with the services, conducts briefings in an effort to educate Marines, Sailors, and Department of Defense (DoD) civilians on various crimes and ways to avoid becoming a victim. At least one quarter is dedicated to Sexual Assault Awareness and Prevention and is intended to coincide with Sexual Assault Awareness Month. These briefings provide the opportunity for commands to interact directly with NCIS agents and investigators to gain knowledge on the topic before a sexual assault is reported. With NCIS support, the goal of the program is to prevent sexual assaults instead of just reacting to them.



NCIS



Chaplains provide support and care to victims in multiple ways.

Actions to Support Victims:

- Provide pastoral care, support, and counsel
- Prevent further harm
- Reduce fear and anxiety
- Re-establish some sense of personal control and self-determination

If needed, contact your supervisory chaplain to verify SAPR procedures and response.

Support Steps:

Once safety has been established:

- Continue pastoral care, support, and counsel
- Confidentiality
 - * Advise victim on confidentiality (with chaplains, VAs, VLCs, etc.)
 - * Victims may desire total confidentiality, not wishing to disclose beyond the chaplain
 - * If victim wishes to file a report, explain Unrestricted and Restricted Reporting.
- When appropriate: discuss medical care and forensic exam options (SAFE Kits), collateral misconduct (fear of punishment should not hinder reporting), and Military Protective Orders (MPO)
- Ensure victim has a safe place to return
- Ensure “warm handoff” of victim to SARC, SAPR VA, or healthcare personnel (if victim releases the chaplain from confidentiality and desires victim support beyond the chaplain)
- Report referrals to command SARC for entry into DSAID



Ask yourself:

What is a Sexual Assault Forensic Exam (SAFE)?

Then consider:

- SAFE is offered as an option to sexual assault victims.
- The exam can take 4-6 hours to perform and is performed by a SAFE provider.
 - A SAFE provider will perform a full physical exam, which includes collecting evidence (DNA and toxicology) and photographing injuries.
 - Evidence collected from the patient may then be used in court to prosecute the offender.

Ask yourself:

Where are SAFEs performed?

Then consider:

SAFE capability is available within operational medical departments, military treatment facilities, civilian rape crisis centers, and emergency departments.

Commanders must ensure that SAPR management options (Restricted and Unrestricted) are known and SAPR team members are available to respond at both military and civilian medical facilities for care of military members and their families affected by sexual assault 24 hours a day.

Ask yourself:

Is SAFE evidence collection offered for both Restricted and Unrestricted Reporting options?

Then consider:

- Yes. The same level of medical and forensic care is offered for patients regardless of their reporting choice.
- Restricted SAFE kits are not processed by the criminal investigative laboratory, for evidence in court, unless a victim changes their reporting option to Unrestricted. Restricted SAFE kits are stored by NCIS Consolidated Evidence Facility up to 5 years.
 - Unrestricted DoD SAFE kits are sent immediately to US Army Criminal Investigation (USACIL) Laboratory if deemed necessary by NCIS and legal for use as evidence in court. Unrestricted DoD toxicology kits are collected for sexual assaults in which drugs or alcohol are suspected. These kits are sent to the Armed Forces Medical Examiner by NCIS.



**Ask yourself:
Then consider:**

How do SAPR and SAFE teams connect?

SAPR team members (SARC, VA, Command Liaison) respond, monitor, and/or coordinate on all known cases of sexual assault in both civilian and military settings.

SAFE providers will conduct the exam and refer patients for medical and behavioral health follow-up care. SAFEs performed within MTF and afloat in the Fleet are reported monthly to the Bureau of Medicine and Surgery. SAPR team members produce reports on progress of care in Unrestricted Reports to include voice SITREPs, message SITREPs, Sexual Assault Incident Response Oversight (SAIRO) Report, Commander Assessments within 30 days, and provide victim case updates from initial report through adjudication of the case.

“Navy Medicine provides compassionate, competent, medical care that is victim-centered, gender-sensitive and takes into account the reporting preferences of the individual. In support, Navy Medicine is committed to the success of the Sexual Assault Prevention and Response Program and to ensuring the availability of sexual assault forensic exams (SAFE) at shore and in afloat settings.”

~VADM Matthew L. Nathan,
Surgeon General of the Navy
Chief of the Navy’s Bureau of Medicine and Surgery

Critical Steps:

Upon assuming the role as a Unit Commander, there are critical steps to improve the ability to offer the best support for sexual assault victims and how to hold alleged offenders appropriately accountable.

Meet with your SARC. The first step a Unit Commander should take is to personally meet with the SARC and VA if a major installation is in close proximity to your location.

Ensure Unit VAs are assigned and trained.

A Unit Commander should also develop a short list of resources to assist victims.

If in an isolated location it is imperative to contact and establish a relationship with local civilian resources in addition to contacting the area’s assigned SARC. This will assist in providing immediate victim advocacy and resources to a reservist who reports a sexual assault regardless of a victim’s eligibility for services.

For cases involving sexual assaults that are reported while a reservist is in a non-duty status, or on “civilian time,” the Department of Defense Safe Helpline (877-995-5247) is specifically designed to assist members in locating the closest resources anywhere in the continental United States.

“Honor. Courage. Commitment. These values have guided our Corps for more than two centuries and it is our responsibility as Marines to adopt and live out these values. Integrity, responsibility, accountability; do the right thing, in the right way, for the right reasons; devotion to the Corps and fellow Marines. Sexual assault in our ranks goes against everything we stand for and is in direct conflict with our core values - it won’t be tolerated. All Marines should be knowledgeable about our Sexual Assault Prevention and Response program - get educated, and above all else, get reacquainted with our values. I expect you to live them 24 hours a day, every day.”

~LtGen Richard P. Mills, Commander,
Marine Forces Reserve & Marine Forces North



Key Findings:

- Sexual assault is less likely to occur during a drill weekend than when a reservist is deployed, recalled to active duty, during annual training (AT), or other similar type of orders.
 - Sexual assaults may occur outside of military time, i.e., civilian time, but there is no requirement for a reservist to report such incidents.
 - Isolated locations were identified by reservists as high risk locations secondary to isolation, stress, and access to alcohol.
 - Individuals deploying as an Individual Augmentee (IA) perceived a greater risk than those reservists deploying as part of a unit.
 - Increased risk is perceived among reservists working alongside host country civilians and third country nationals.
- Our general insight and understanding of sexual assaults in Navy and Marine Corps Reserve Forces is more limited than that of the active duty population. However, data retained from anonymous surveys, site visits, and focus group meetings show that sexual assault among reserve personnel appears to be less common when compared to the active duty population.
 - Younger age, in general, is associated with an increased risk of sexual assault. The Reserve population tends to be older than the active force. The average age of Reserve component personnel who report sexual assault is 26 years as compared to 18-22 in the active duty population.



Reserve Specific Sexual Assault Considerations

All military members are entitled to the advocacy services of a SARC and/or VA. Other services, e.g., medical, counseling, or legal, are dependent on the duty status of the reservist when an assault occurs.

A member may report to reserve unit leadership an assault that occurred while on orders such as AT, ADT, ADSW or during a drill (inactive duty training (IDT) weekend and are afforded full SAPR services and support, including Restricted and Unrestricted Reporting. Members may also report to reserve unit leadership an assault that occurred on civilian time and are eligible to receive limited, immediate short-term SAPR support services from the SARC or SAPR VA including Restricted and Unrestricted options. VLCs are available on a case by case basis. These members should then be connected with local appropriate resources for further care and assistance.

Consideration #1

Sexual assault occurs on civilian time

Reservists are not required to report sexual assault that occurs while on civilian time, but one may opt to report an assault in order to receive advocacy and emotional support. These cases should be referred to a SARC or SAPR VA who can provide victim advocacy and assist in determining what services may be available to best support a victim. When a SARC or SAPR VA is not available or located near the reserve unit, it is imperative for reserve unit leadership to have an understanding of available services in the local community that may be utilized.

Consideration #2

SA occurs while on orders and is reported

Reserve Component (RC) personnel who incur an injury, illness or disease while in a duty status are eligible for the Line of Duty (LOD), this includes those who report a SA while in a duty status. The LOD determination statement will specify the benefits for which the member is eligible. The reporting mechanism under which the report was made, either Restricted or Unrestricted, will have an impact on benefits eligibility (see Line of Duty Key Points on page 39).

Consideration #3

SA while on AD orders and delayed/not reported

Individuals may delay reporting a sexual assault for numerous reasons. This is especially true for a reservist who is assaulted while away from home on temporary active duty. In this scenario a reservist may delay or avoid reporting a sexual assault to ensure staying focused on the mission, avoid jeopardizing return date, or waiting to report until re-engaged with home support network. It is important for unit leadership to understand the complexities that exist for reservists when re-engaging back into the civilian world, the potential needs of a victim and the processes involved to best support them.

If an individual reports a sexual assault after the return to reserve status a LOD determination must be made. A member must report a case within 180 days of return for it to be considered under the LOD determination. If in an authorized duty status the reservist is eligible to access medical treatment and counseling for injuries and illness incurred from the sexual assault under the LOD determination. However, there is some variation depending on whether or not the case is Restricted or Unrestricted (see Line of Duty Key Points on page 39).



Reserve Commander Core Responsibilities

Legal:

The core legal concepts are generally unchanged in regards to the rights of the victim and the accused. But there are unavoidable jurisdictional complexities that may have to be anticipated including but not limited to jurisdictional limitations outside drill periods, oversight of civilian berthing during IDT Drill weekends and response to actions of offender and option for continued military service.

In some cases local law enforcement may assume jurisdiction over the case. Laws will vary by state and may include things such as who must conduct SAFE kit exams and retain evidence and exercise jurisdiction. In these cases, it is essential to have your SJA and NCIS engaged as a liaison with the local law enforcement to assist your victim with maintaining awareness as well as offering legal counsel.

In some cases it may be necessary to offer the reserve victim of a military related sexual assault (i.e.: military on military sexual assault which occurred between members drilling in the same unit) an alternative drill assignment.

As per NAVADMIN 132/12, MARDMIN 227/12, and MCO 1752.5B the command should allow for separate training on different drill weekend or times from the alleged offender or with a different unit in the home drilling location to avoid undue stress on the member or members family.

Medical & Advocacy:

Address the needs of the reservist victim of sexual assault by utilizing available medical and mental health services. The immediate core medical concepts are generally applicable given the circumstances for reservists but eligibility for services is dependent upon LOD determination as to whether the sexual assault incident occurred in an active duty or inactive duty training status.

Unique caveats apply to Reserve populations in regards to benefits that include, but are not limited to, entitlement benefits available depending upon the reporting type of Restricted versus Unrestricted, and duty status.

Provide advocacy to Reserve victims of sexual assault. Understand that Reserve members are entitled to advocacy services but that unintended complexities may exist such as limited access to medical facilities due to geographical location, sparse local community resources, and limited access to local SARC expertise.

Line Of Duty (LOD) Key Points

- Available to Reserve personnel to determine, whether an injury, illness, or disease was incurred or aggravated while in an authorized duty status. This includes travel to and from the authorized duty location.
- Reserve personnel are able to access medical treatment and counseling for injuries and illness incurred from a sexual assault while in an authorized duty status. Members must report a case within 180 days to be considered for LOD benefits.
- LOD Determination should be made without the victim being identified to law enforcement or command, solely for the purpose of enabling the victim to access medical care and psychological counseling and without identifying injuries resulting from a sexual assault.
- Unit Reserve Commanders should identify an appropriate individual within the unit or command to process LODs. Designated individuals shall possess the maturity and experience to assist in a sensitive situation and, if dealing with a Restricted Report, to safeguard confidential communications. These individuals are authorized to receive confidential communications for the purpose of determining LOD status.
- The appropriate SARC will brief the designated individuals (identified in the previous bullet point) on Restricted Reporting policies, exceptions to Restricted Reporting, and the limitations of disclosure of confidential communications. The SARC and these individuals may consult with their servicing legal office, in the same manner as other recipients of privileged information for assistance, exercising due care to protect confidential communications by disclosing only non-identifying information
- The SARC may provide documentation for LOD determinations to substantiate the victim's duty status and the filing of the Restricted Report to the designated official.
- If medical or mental healthcare is required beyond initial treatment and follow-up, a licensed medical or mental healthcare provider must recommend an ongoing treatment plan and submit documentation monthly.

RESERVE COMPONENT



- The LOD process for Restricted Reporting does not extend to pay and allowances or travel and transportation incident to the healthcare entitlement. In addition the Incapacitation Benefit is not available to Restricted cases to cover financial losses incurred if a reservist is unable to resume normal military duties and/or civilian employment. However, at any time the Service member may request an Unrestricted LOD to be completed in order to receive the full range of entitlements.
- If an LOD review does not resolve in less than 90 days or the case is not progressing toward resolution then the case is submitted for a Medical Board. This can be completed at any MTF, DoD, or VA facility and the member must be present. The case may be sent for further evaluation by a Physical Evaluation Board for duty eligibility determination based on the results of the Medical Board. The LOD process is limited to one year, after this a military physician can request an extension or the case is transferred for Medical or Physical Evaluation Board.

RESERVE COMPONENT



Victim Resources

- In the case of a member of a Reserve Component on active duty who is the victim of sexual assault committed while on active duty and who is expected to be released from active duty before the LOD determination is made, the member may request and receive orders to be retained on active duty until completion of the LOD determination.
 - In the case of a member not on active duty who is the victim of sexual assault that occurred while the member was on active duty and when the LOD is not completed, the member may request and receive orders to return to active duty for such time as necessary for completion of the LOD determination.
 - A request submitted by a Reservist to continue on active duty or to be ordered to active duty, respectively, must be decided within 30 days from the date of the request. If the request is denied, the member may appeal to the first General Officer or Flag Officer in the member's chain of command and a decision on the appeal must be made within 15 days from the date of the appeal.
 - Once the LOD determination is made, if requested by the member and approved, services available to active duty personnel (as outlined in the SECNAVINST 1752.4B) may be provided to the Reservist. If the Service Member is determined not in the line of duty and the appeal is denied, the SARC or SAPR VA should provide available resources in the local community.
- Reserve personnel may elect either the Restricted or Unrestricted Reporting option and have access to the advocacy services of a SARC or SAPR VA. Advocacy services are available regardless of the duty status at the time of the incident or at the time they are seeking advocacy services.
 - Regardless of reporting option, reserve personnel have access to medical treatment and counseling for injuries and illness incurred from a sexual assault occurring while performing active duty services or inactive duty training. However, other entitlements remain dependent on a LOD determination as to whether the incident occurred in an active duty or inactive duty training status.
 - If a victim reports a sexual assault that occurred while in civilian status Reserve personnel have no requirement to report the incident to unit leadership. Should a member report, advocacy services are available through the unit victim advocate and assigned SARC. If feasible, Reservists may also report to either Navy Fleet and Family Services or Marine and Family Programs within Marine Corps Community Services to receive advocacy care.
 - Eligibility for resources beyond advocacy is determined by member's status at the time of the sexual assault. Resources may be limited for victims who are either not eligible based on when the assault occurred or when reservists are located in areas remote from DON installations.
- It is imperative that relationships be developed with local resources to provide support to the Reservist that is not eligible for care within the DoD. State and local programs serve victims of sexual assault by providing free confidential crisis counseling, advocacy, information, and referrals to other available services in the local area.
 - Reservists who file an Unrestricted Report may request a temporary or permanent expedited transfer or reassignment. A transfer may include provisions to perform inactive duty training on different weekends or times than the alleged offender, or with a different unit in the home drilling location as to avoid undue burden on the Service member. Transfer of the alleged offender instead of the victim should also be considered if applicable.
 - Provide opportunity for Reserve member who reports a military related sexual assault to consult with a VLC, and in cases that involve possible collateral misconduct, to consult with defense counsel. Victims shall also be referred to the Victim Witness Assistance Program (VWAP) (SECNAVINST 1752.4B Encl 5).
 - Reserve personnel who report a sexual assault may be encouraged to seek a civilian protective order. Should a Reserve member opt to move secondary to a civilian protective order etc. they should follow normal process to request transfer to another Navy Operational Support Center (NOSC) or Major Subordinate Command (MSC).



Summary

Commanders of Reserve Component Personnel

- ✓ When receiving an Unrestricted Report of a sexual assault, immediately refer the matter to NCIS or other appropriate MCIO regardless of the severity of the allegation, offense or potential punishment authorized by the UCMJ.
- ✓ Contact your SARC and VA to make contact with victim.
- ✓ If, a SARC or VA is unavailable contact Safe Helpline at 1-877-995-5247 to locate available resources.
- ✓ Active Duty and Reserve personnel who are victims of sexual assault are entitled to VLC services.
- ✓ Conduct a LOD Investigation to determine level of care and legal direction for investigation and prosecution. If a Restricted Report the member is still eligible for LOD determination with limitations on benefits as outlined in section III, Line of Duty as well as SARC and SAPR VA services.
- ✓ If the victim is a remotely located service member identify local medical resources available to the member.
- ✓ If the accused is a civilian, discuss with the victim the options of reporting the assault to local law enforcement.
- ✓ Contact your legal counsel for guidance on reporting as there are unavoidable jurisdictional complexities that may have to be anticipated including but not limited to jurisdictional limitations outside drill periods, oversight of civilian berthing during IDT Drill weekends and response to actions of an offender and option for continued military service.
- ✓ If the accused perpetrator is active duty, review the need for and if necessary issue a Military Protective Order.
- ✓ Take the time to review all requirements as outlined in SECNAVINST 1752.4B dtd 08 Aug 2013 and your Service specific directives.

Directives & Instructions

- DoD Directive 6495.01—Sexual Assault Prevention & Response Program (1/23/2012)
- DoD Instruction 6495.02—Sexual Assault Prevention & Response Program Procedures (3/28/2013)
- SECNAVINST 1752.4B—Sexual Assault Prevention & Response (8/8/2013)
- OPNAVINST 1752.1B—Sexual Assault Victim Intervention Program (12/29/2006)
- MCO 1752.5B—Sexual Assault Prevention and Response Program (3/1/2013)

Websites

For additional information, please visit the following websites:

- www.donsapro.navy.mil (DON SAPRO)
- www.sapr.navy.mil (Navy Policy and Training)
- www.cnic.navy.mil/ffr/family_readiness/fleet_and_family_support_program/sexual_assault_prevention_and_response/resources.html (Navy Resources & Reporting)
- www.manpower.usmc.mil/sapr (USMC SAPR)
- www.jag.navy.mil (Navy JAG)
- www.hqmc.marines.mil/sja/UnitHome.aspx (HQMC SJA)
- www.jag.navy.mil/legal_services/VLC.htm (Navy VLC)
- [www.marines.mil/sja/Branches/VictimsLegalCounselOrganization\(VLCO\).aspx](http://www.marines.mil/sja/Branches/VictimsLegalCounselOrganization(VLCO).aspx) (USMC VLC)
- www.ncis.navy.mil (NCIS)
- www.sapr.mil (DoD SAPRO)
- www.myduty.mil (DoD SA Resources)
- www.SafeHelpLine.org (Sexual Assault Support)





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⁸U.S. Department of Justice. (2005). *National Crime Victimization Survey*.

⁹U.S. Department of Justice. (2008-2012). *National Crime Victimization Survey*.



Department of the Navy Sexual Assault Prevention & Response Office
 (DON SAPRO)
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 Washington DC 20350-1000
www.donsapro.navy.mil

Anonymous Comments from the DON SAPRO 2013 Sexual Assault Survey

- Encourage Marines to interfere. The first time I was raped there were other Marines in the room, next door, and duty in the barracks. No one stopped it or stood up for me even though I was screaming for the first few minutes. I had a horrible experience with NCIS, Chain of command, and my unit. I was sober and the rapist was not. Marines should be encouraged to drink responsibly. Chain of command should not punish or threaten someone's career when they step forward. (USMC female)
- I have been told that since I was not hurt on a ship. For example, like having a broken leg. What happened was horrible but it isn't the Navy's problem. From being a victim myself that discourages me from getting any further treatment or help for fear that I will be separated out of the Navy because I admit to having psychological problems such as anxiety, depression, paranoia, and sleep deprivation from the assault. I am on a second Limited Duty not of my choice because of it and every day is a struggle to not cave into suicide or alcohol abuse, yet on the other hand I feel discarded by the Navy which I fought so hard to get into in the first place. (Navy female)
- I have been a victim, have had family members who have been victims and I know of others in the Marine Corps who have been victims. The psychological stigma is huge and the emotional turmoil is lifelong. (USMC male)
- I was a victim of sexual assault. I had my genitalia grabbed and the report was made. On four different occasions, my CO and XO re-victimized me saying it poses a negative light on me and it's all perception that I was at the wrong place at the wrong time. (Navy male)
- ... I made a report the first three months on board about another shipmate of higher ranking than me. Since then I still haven't been able to let it go, people still look at me differently, and still bring up the incident. They call me liar and troublemaker. Just in the past week I have been slapped on the ass, got threatened that I would be spanked on the ass with a spatula if I didn't do something. Also, a shipmate was trying to play drums on my boobs hitting my boobs with papers. I told them over and over again to stop and I don't know if they took me seriously. If I had the chance to get off the ship I would. I hate it here. I feel like I've always been labeled that girl... (Navy female)
- I was raped, filed a Restricted Report, diagnosed with Post Traumatic Stress Disorder and placed on Limited Duty to receive mental health treatment; which prevented me from complying with my normal sea/shore rotation and returning to sea duty. ... After I told my peers of my Limited Duty status, one of them responded "Well gee, what do you expect...you have a vagina." And I sarcastically responded, "Well gee, that was professional and what I'd expect a Chief to say." ... While my co-workers did not know of my assault and I'm sure intended no malice in their comments, that moment devastated me. It was that type of environment that prevented me from reporting my assault for 2 years... (Navy female)
- As an E3, I was sexually assaulted along with an E4 ... Neither of us reported ... for fear that we would be thrown out of the Navy for having sex with another male, even though it was forced. ... I had pretty much blocked out the whole event until recently when we had the Sexual Assault stand down, and attended the training. Male on male assaults were mentioned, and that was when the whole event came back to me almost 20 years later. Had it happened to me now, I would have had no problem reporting it, but at the time it happened, there was no way I was going to report it. The Navy is going in the right direction, and I'm glad I've been in long enough to see this change. (Navy male)

Step Up. Step In.
 Prevention is everyone's responsibility!

Department of Defense (DoD)
Sexual Assault Prevention and Response (SAPR)
Progress Report to the President (POTUS):
United States Navy Program Overview

Executive Summary

Sexual assault is a significant threat to the United States Navy. It adversely impacts readiness, morale, and retention. Navy takes this threat seriously and is fully committed to sexual assault prevention, supporting victims, and appropriate offender accountability with due process of law. In the last three years, Navy dedicated extensive resources to reducing sexual assault and improving response measures.

Navy's primary goal is to eliminate sexual assault. Success is when each and every Sailor understands the definition of sexual assault, how it harms other Sailors and the Navy, how to prevent it from occurring, and how to respond if prevention fails. Success is when every Sailor behaves in a manner consistent with Navy Core Values of honor, courage, and commitment, and treats others with dignity and respect.

Sexual assault prevention requires multiple, layered efforts at all levels working in concert. Navy sexual assault prevention incorporates cultural improvement through engaged leadership, innovation, education and awareness, intervention, accountability, and partnerships across Navy organizations. Policy alone will not stop sexual assault; it requires execution at the fleet level and involves all leaders.

Navy leadership recognizes sexual assault prevention cannot be accomplished in isolation. Much like cities that reduced major crime by simultaneously focusing on and eliminating lesser crimes, Navy Sexual Assault Prevention and Response (SAPR) efforts follow a similar strategy. Navy understands the criticality of creating a culture at all levels intolerant of unacceptable actions and behaviors in order to prevent more serious or criminal behaviors. Navy efforts are focused on the concept of a continuum of harm of destructive actions and behaviors to include a renewed emphasis on the prevention of hazing, sexual harassment, and alcohol abuse. The 21st Century Sailor Office was established to provide coordinated efforts in Sailor resiliency and readiness programs, and integrate efforts to counter destructive behaviors.

THE CONTINUUM OF HARM AND 21ST CENTURY SAILOR OFFICE

In Navy's efforts to prevent sexual harassment and sexual assault, a key concept is the continuum of harm, shown in Figure 1. Towards the "left" end of this continuum are a range of destructive attitudes and behaviors, such as demeaning or discriminatory comments, stereotyping, and unequal treatment. More serious acts of sexual assault such as groping, forced sexual activity, and rape are to the "right" of the continuum.

A command environment that allows inappropriate behaviors to exist increases the

likelihood for incidents of sexual harassment. Further, environments that permit sexual harassment behaviors to exist increase the likelihood for incidents of sexual assault.

Leaders at all levels set the conditions for success by creating environments which exude and reward inclusive behavior, while at the same time crowding-out destructive actions by safely intervening well before they can manifest themselves in criminal acts.

Figure 1: The Continuum of Harm



The 21st Century Sailor Office, led by a Navy Admiral, is responsible for policy, resourcing, and oversight for a portfolio of programs, to include the goal of measurably reducing and eliminating sexual assault. The portfolio also includes operational stress control and suicide prevention; physical readiness and nutrition; sexual harassment prevention; equal opportunity; hazing prevention; and drug and alcohol abuse prevention. The 21st Century Sailor Office addresses the need for coordination and synergies among these critical Sailor-focused programs across the entire continuum of harm by strategically enabling each level of accountability within the Navy: institutional, command, and individual.

NAVY SAPR STRATEGY

Navy requires an inclusive approach based upon true equality, respect, and diversity, understood by all, and executed by leadership. Leaders at all levels create the cultural conditions for success. Every person in Navy, uniformed and civilian, in different degrees and with various responsibilities, is a leader.

Navy's sexual assault strategy focuses on setting the conditions and creating a culture in which sexual assault is not tolerated, ignored, or condoned. This strategy uses a multi-pronged approach that includes prevention at the institutional, command, and individual levels. Key prevention strategy components are leadership and Sailor engagement, stakeholder and community involvement, training and awareness,

appropriate offender accountability, and continuous assessment. Accountability at all levels is vital to this approach.

As Navy focuses on prevention, response capabilities continue to be implemented and matured. Increasing reporting of this universally underreported crime is central to the response strategy. Reporting of sexual assaults is a bridge to victim support and appropriate offender accountability. Navy will continue to ensure Sailors understand their reporting options and how to report. The increase in Navy reporting, coupled with recent command climate survey results, is considered a positive Sailor reaction to efforts to increase trust and confidence in the sexual assault response system.

Navy continues to assess the effectiveness of prevention and response methodologies through collected data, metrics analysis, surveys, focus groups, and other feedback mechanisms. As Navy increases its knowledge of circumstances surrounding these incidents, it improves its ability to target prevention efforts and respond properly.

SAPR LINES OF EFFORT

Navy's SAPR efforts are aligned with the Department of Defense's (DoD's) five Lines of Effort (LOEs): Prevention, Investigation, Accountability, Victim Assistance and Advocacy, and Assessment.

Prevention (LOE 1) involves a multifaceted approach to stop sexual assault. Engaged leadership is responsible for creating a command climate that does not tolerate unacceptable actions and behaviors. Sailors receive specialized SAPR training on how to recognize sexual assault, how to get help, how to report, and how to prevent it from occurring. Recent results from the 2014 RAND Military Workplace Study (RMWS) indicate that estimated prevalence of unwanted sexual contact in the Navy decreased since the 2012 survey. While this trend shows that initiatives from the recent years have begun to gain traction, Navy must continue to aggressively pursue prevention and response efforts. Leaders and Sailors offer peer-to-peer support, and Navy-wide partnerships work together towards prevention.

A sexual assault report initiates the response process. The Investigation phase (LOE 2) includes gathering evidence and facts of the crime through Naval Criminal Investigative Service (NCIS) investigations within Navy's jurisdiction. Modified training to improve investigative skills and an increase in the number of special agents resulted in more timely and thorough investigations. NCIS collaborates early in the investigative phase with trial counsel and/or staff judge advocates to ensure early and ongoing collaboration at the senior trial counsel and supervisory special agent level. Accountability (LOE 3) involves the commander's response to ensure appropriate accountability for alleged offenders. Staff judge advocates and trial counsel support commanders throughout the military justice process. The Office of the Judge Advocate General (OJAG) also deploys extensive resources and legal personnel to support victims and defend alleged offenders throughout the adjudication process. Victim Assistance and Advocacy efforts (LOE 4) provide the needed care and support to help individuals overcome the physical

and emotional trauma of sexual assault.

Finally, Assessment (LOE 5) is a self-check on Navy progress to evaluate the effectiveness of SAPR efforts. Navy collects data and metrics pertaining to reported sexual assaults including demographics, type of incident, and case specifics. This information helps leadership conduct regular assessments of SAPR programs and measure success, improvements, and areas for needed improvement.

CONCLUSION

Navy continues to focus its efforts on sexual assault prevention and response. Emphasis on response and victim advocacy must and will remain a priority. Preventing sexual assault from occurring is the primary goal of Navy efforts going forward. Navy is dedicated to ensuring sexual assault victims receive timely support and protection, including medical treatment, counseling, legal support, and victim advocacy. Increased reporting is a positive measure of the efforts to grow trust and confidence in Navy's response system. Navy will continue to develop response capability by providing professional and compassionate victim support; thorough and independent investigations; and an adjudication process that respects the rights of victims and the constitutional and statutory due process rights of alleged offenders.

Line of Effort 1: Prevention

1.1 INTRODUCTION

Sexual assault is a crime that harms Sailors, damages unit cohesion and trust, and stands contrary to Navy Core Values. Navy endeavors to create an environment in which Sailors do not tolerate, condone, or ignore sexual assault or other inappropriate behaviors. Understanding the realities of sexual assault and the conditions under which it occurs is a continuous requirement to advance cultural change. Navy aims to reinforce cultural imperatives of mutual respect, trust, professional values, and team commitment. Leadership is charged with fostering an environment where sexual assault and the behaviors and actions that may lead to it are unacceptable.

Navy's prevention-based practices focus on institutional, command, and individual actions and accountability. The overarching imperative at all levels of the chain of command is to establish organizational behavior expectations that are clearly communicated and consistently maintained. Cultural elements include the policies, command statements, actions, values, and personal comportment of the entire team.

Setting the right command culture is critical to addressing and preventing all destructive behaviors. Within the continuum of harm framework, Navy seeks to prevent all degrees of harmful behavior. This prevention starts with creating command climates and individual perceptions that Navy is intolerant of unprofessional and criminal behavior.

Navy's prevention strategy is designed to foster a culture and environment in

accordance with Navy Core Values. Navy's coordinated efforts include: deliberate and engaged leadership, innovation, education and awareness training, presence and intervention, and partnerships across Navy organization.

1.2 DELIBERATE AND ENGAGED LEADERSHIP

Navy leadership and commanders play a critical role in preventing sexual assault. Leaders drive the command climate and culture, and ensure a safe and productive working environment. Leaders set an expectation of dignity, mutual respect, and professionalism among shipmates. The actions and attitude of leaders set the example and define Navy's organizational culture.

Flag Officer Engagement

Navy's SAPR efforts directly involve Flag Officers. Since 2010, all Unrestricted Reports of sexual assault are reported to the first Flag Officer in the chain of command. Additionally, since 2012, unit Commanding Officers (COs) deliver personal reports to their respective Flag Officers within 30 days of the initial notification of a report of sexual assault, as operational circumstances allow. These reports provide information about care and support provided to the victim, initiatives the command will take (or has taken) to prevent future occurrences, and the impact to the command's ability to carry out its mission. The first Flag Officer reports alert senior leadership to any common factors and trends as well as provide insight into any gaps or seams in Navy's SAPR policy or program initiatives.

In July 2013, the Chief of Naval Operations (CNO) directed Fleet Commanders to designate a Flag Officer, reporting directly to the Fleet Commander, as the SAPR program leader for each Navy installation/fleet concentration area and associated local commands. This designated Flag Officer established regular conversations with appropriate installation/local command representatives, local community, and civic leaders to review SAPR program efforts. Flag Officers regularly inform Fleet Commanders of prevention and response trends and opportunities for improvement within their area of responsibility. The Flag Officer also ensures that community outreach and engagement are part of each area's prevention and response measures. COs and all Flag Officers work with stakeholders to discuss command climate and SAPR readiness issues.

The Fleet Commanders participate in quarterly SAPR-dedicated video teleconferences with the CNO to discuss trends and recommend future initiatives. Several key initiatives were directed and fast-tracked as a result of the CNO SAPR meetings, including enhanced investigative capability using Navy uniformed investigators; bystander intervention skills training for all Sailors; and simplification of victim support duties within each unit.

Commander Engagement

Navy continues to evaluate the tools provided to commanders to ensure they can execute their charge of command. In particular, Navy focuses on improving the development of leadership and character in leaders selected for command. Today, all Navy leaders complete tailored SAPR training. This training, provided by professional mobile training teams, is designed to help leaders identify environmental factors that surround or contribute to sexual harassment or sexual assault, and understand the response requirements when a sexual assault occurs.

Because of the inherent responsibility of commanders, the screening processes to select them are rigorous. Commanders must meet strict professional and performance qualification standards as well.

Local Leadership Involvement

Keeping local leaders informed of the status of the SAPR program within their area of responsibility is critical to their ability to stay engaged and drive results. Beginning in July 2013, Navy created 25 dedicated SAPR Officer billets to directly support the commanders of major staffs, type commands, and Navy regions. SAPR Officers work closely with local Sexual Assault Response Coordinators (SARCs), SAPR program managers assigned to Fleet Commander staffs, and local SAPR stakeholders such as NCIS special agents, Region Legal Services Office staff judge advocates and trial counsel, chaplains, and healthcare providers. SAPR Officers provide program continuity and ensure understanding and proper execution of policy, training, and oversight activities.

Another initiative that supports continued command awareness and engagement is the establishment of a permanent Navy Reserve Forces SAPR program manager, who reports directly to the Commander, Navy Reserve Forces Command. This SAPR program manager greatly improves the ability of Navy Reserve Forces Command to provide oversight, manage the SAPR program more effectively, and best support the unique requirements of Navy Reserve Sailors.

Training to Support Engaged Leadership

Navy developed and executed specialized training over the last several years to enhance the ability of all levels of leadership to comprehend the scope of the sexual assault problem, and the causes and factors which will drive its prevention.

Developed in Fiscal Year (FY) 2011, SAPR-Leadership (SAPR-L) training was designed for all leaders in the grades of E-7 and above. Command triads (CO, Executive Officer (XO), and Command Master Chief) delivered the SAPR-L training to their units. The command triads received instruction on how to effectively facilitate SAPR-L training from teams of master trainers, which included staff judge advocates, to ensure all leaders were trained in SAPR legal policies, directives, and updates to the Uniform

Code of Military Justice (UCMJ).

SAPR-L focused on leadership's role in preventing sexual assaults including encouraging bystander intervention, creating the appropriate command climate, caring for victims, and holding alleged offenders appropriately accountable. Video vignettes and facilitated discussion points provided an open forum for units to have frank discussions about command culture. Navy executed the program aggressively, and 95% of all Navy E-7 and above personnel completed the training in FY12. SAPR-L effectively provided needed context and pragmatic problem awareness for leaders to prevent and respond to incidents of sexual assault.

SAPR modules delivered for pre-command training courses and Command Master Chief/Chief of the Boat courses were updated in FY13 to incorporate standardized competencies and learning objectives established by DoD and the Services. Navy utilized portions of the SAPR-L training video in the updated module to ensure continuity of message and relevance for the operational fleet. Department of the Navy (DON) Sexual Assault Prevention and Response Office's (SAPRO) *Commander's Guide* is also provided to all current and prospective command triads, to help them manage and execute their command SAPR programs.

Extended Leadership Involvement

Fleet Commanders stay synchronized with Sailors on the importance of sexual assault prevention in a variety of ways. The Pacific Fleet holds a series of engagements each year throughout its geographic area of responsibility, which feature a number of Sailor and family-related topics and typically include tailored sessions on sexual assault prevention. Additionally, all Pacific Fleet commands completed a mandatory All Hands two-hour "Stamp Out Sexual Assault" stand-down in FY13. The stand-down was designed to solicit non-attributable input on Sailors' expectations and issues regarding sexual assault, Navy policy, personal behavior, and best practices.

U.S. Fleet Forces has similar workshops provided in each major fleet concentration area, including units stationed or deployed overseas. These workshops, conducted by subject matter experts, provide the opportunity for Forces commanders to have discussions with leaders and Sailors regarding intent and expectations of sexual assault prevention, program updates, and policy changes. Cultural change is visible at all levels of command. Targeted top-down approaches in 2012 led to Navy-wide training in 2013, which are now leading to innovation across the fleet.

Commander, Naval Surface Forces Atlantic started a Health of the Force initiative that focuses on the interactive nature of all destructive behaviors and their impact to combat readiness. The program tailors prevention efforts to the ship rotation plan, enabling afloat Surface Command Leadership teams to tackle Sailor readiness on the deckplate. The unique aspect of this program is that it enables each command to customize their own program to their unique demographics and deployment cycle.

Commander, Submarine Forces Atlantic is aggressively pursuing the identification of micro-climates within a command that may exhibit the continuum of harm that could lead to sexual assaults and the other destructive behaviors. While many of the commands have a positive command climate, micro-climates in work centers and divisions may run counter to good order and discipline and Navy Core Values.

Commander, Strike Group Eight enabled positive dialogue among all battle group commands to exchange best practices for prevention efforts as well as experience in response to sexual assaults. As a result of this effort, minor modifications to the administration and reporting of expedited transfers are being implemented for both the Atlantic and Pacific Fleets to ensure that victim privacy is protected, without losing commander accountability for oversight of legal cases.

Several commands developed a pre-planned process for duty officers to respond to reports of sexual assault. The command took standing instructions and converted them to easy-to-use checklists tailored to the variety of watches that may receive reports of sexual assault, reports of bystander intervention, or reports requiring action to prevent a sexual assault. These checklists are being promulgated Navy-wide.

Navy Medical Center Portsmouth's Chief Petty Officer Mess developed a program called "Real Talk, No Rank," which is being adopted by the afloat force. This program, designed to allow frank and honest discussions in both mixed-gender and gender-specific environments, has led to improved Sailor confidence in the Chief Petty Officer Mess.

A forward-deployed unit has developed a risk-reduction analytic tool which will allow commands to better forecast high-risk, inappropriate behaviors based on the ship's schedule. The tool helps commands analyze their unique schedules and demographics to discern high-risk situations, allowing them to focus their prevention efforts.

Another best practice for enhancing collaboration between local leadership came from the Naval Education Training Command, where COs and SAPR program managers participate in monthly strategic SAPR meetings with other area leadership. This synergy allows COs to work with external partners to develop sustained plans based on expert advice in the fields of victim advocacy and law enforcement. These meetings foster open communication between base SARCs, base COs, tenant commands, and local law enforcement to help prevent sexual assault.

In 2013, the Pacific Fleet Chaplain and the Religious Programs Specialist Master Chief conducted roundtable discussions with the fleet to dialogue with Sailors in a comfortable environment. The roundtable discussions included 400 E-1 to E-6 Sailors in 15 different forums, fostering grassroots level awareness of sexual assault policies among Sailors from different commands. The roundtables helped identify better ways for leadership to communicate, address challenges pertaining to the tone of the force, and uncover the deckplate perspective on sexual assault problems and solutions. On a routine basis, chaplains provide general insights to commanders regarding the command climate,

without revealing what Service members share in confidence. Chaplains contribute to improving command climate by providing care and support for all Service members and families, regardless of individual faith beliefs. Chaplains also assist in pointing individuals to the appropriate SAPR resources.

In 2014, the U.S. Fleet Forces chaplains joined the Fleet Workshop team to provide awareness and education on chaplain support and resources. In addition, the Fleet Chaplain conducted separate training and discussion sessions in each fleet concentration area for all local chaplains intended to increase their effectiveness in Sailor and family support.

Leadership Outreach to Community

Because many reported incidents of sexual assault occur off-base, command leaders increased engagement with local communities. Navy made significant progress in increasing its presence off-base. Commands reached out to local hotel proprietors, restaurant and bar owners, and liquor store managers to educate them on sexual assault prevention efforts and make them aware of Navy resources. Command outreach also included coordination and consultation with local law enforcement, hospitals, and taxi cab companies. Representatives from boards of commerce, as well as local establishments, welcomed Navy's intervention efforts progress is made in curbing incidents of sexual assault and other unacceptable behaviors in the local community.

1.3 NAVY INNOVATIONS

By dedicating resources and manpower, Navy implemented new and innovative methodologies. Some of these initiatives grew from dedicated pilot programs to become Navy-wide efforts, while others evolved and were adopted over time. Innovation and creativity drive the development and execution of new programs. Each initiative is directly or indirectly focused on preventing sexual assaults.

Great Lakes Pilot Prevention Program

Naval Station Great Lakes is home to Navy's Recruit Training Command, where all enlistees attend basic training. Training Support Command Great Lakes is responsible for administration of Sailors for rate-specific technical training. Navy begins teaching new Sailors from day one about principles of respect and the Navy Core Values of honor, courage, and commitment. These principles are emphasized and enhanced at Training Support Command while Sailors learn their technical skills.

Naval Station Great Lakes was identified as an ideal location to launch a sexual assault pilot prevention program. Starting in 2010, DON SAPRO partnered with Navy leadership and local commanders at an on-site summit to implement and assess multiple simultaneous initiatives at Great Lakes. Experts gathered in February 2011 to set the stage for important new SAPR training programs, aggressive anti-alcohol efforts,

visible leadership engagement in both Sailor discipline and mentoring, and active coordination across organizational lines by regional senior leaders. From the summit meeting, the program developed to become the Great Lakes Pilot Prevention Program in 2012. Based on feedback from Sailors, surveys, and leadership review, Navy realized the value and efficacy of these efforts. Navy adopted and expanded the initiatives from the pilot program to regions in San Diego and Japan initially, and then to all fleet locations in 2013.

Alcohol Deglamorization

Alcohol plays a role in many Navy sexual assaults. In 2010, Submarine Force Pacific Fleet began fielding alcohol detection devices to Sailors, which grew to become a Navy-wide practice by 2013. The alcohol detection devices are a training and awareness tool to educate Sailors on the effects of alcohol and excessive drinking. Also in 2013, Navy enhanced its alcohol deglamorization efforts with a “Keep What You’ve Earned” campaign to emphasize the dramatic and long-lasting effects of irresponsible alcohol use. Navy updated the policy on the availability of alcohol on base and directed the Navy Exchange Command to limit alcohol sales. Navy removed all distilled spirits from mini-marts and restricted distilled spirit sales to main exchanges or dedicated package stores. Stores limited alcohol displays to no more than 10% of total retail floor space, moved displays to the rear of facilities, and limited alcohol sales to between 6 a.m. to 10 p.m. Navy Exchanges also sell single-use breathalyzers to better educate Sailors on responsible alcohol use. Navy has seen downward trends in incidents of driving under the influence of alcohol and other alcohol-related incidents.

Coalition of Sailors Against Destructive Decisions

The Coalition of Sailors Against Destructive Decisions (CSADD) is a peer-to-peer, grassroots mentorship program geared toward Sailors 18 to 25 years old to combat destructive behavior and reinforce the culture that “Shipmates help Shipmates.” CSADD has grown in size and strength from a small monthly group of 18 Sailors to a multi-Service organization of 373 chapters. Navy provides technical assistance to local CSADD chapters in support of peer mentoring, positive messaging, and interpersonal communications. Navy continues increased collaboration between the SAPR program and CSADD chapters, often involving SARCs, to foster cross-program collaboration at the installation level.

CSADD members connect to their peers in a powerful way using visual media and short vignette films to convey training points. The groups meet regularly to discuss responsible use of alcohol, core values, healthy lifestyle choices, and other Sailor issues and responsibilities. CSADD chapters sponsor recreational events to emphasize that Sailors can enjoy safe and healthy activities without relying on alcohol. CSADD efforts also teach bystander intervention, as it pertains to sexual assault and other decision making.

1.4 EDUCATION AND AWARENESS TRAINING

Increased education and awareness ensure that Sailors understand what constitutes sexual assault, the avenues for reporting, available support services, and the importance of eliminating sexual assault from the ranks. Training for Navy members increases in scope and levels of accountability commensurate with their rank, leadership responsibility, and experience.

All Navy Service members are required to receive annual SAPR training, which is delivered with face-to-face training. Topics include ways to prevent sexual assault crimes, the continuum of harm from harassment to assault, actions a victim can take if assaulted, and the difference between Restricted and Unrestricted Reporting options.

SAPR-Fleet

SAPR-Fleet (SAPR-F) is training geared specifically toward E-6 and below Sailors. SAPR-F focuses on a command's roles, bystander intervention, peer pressure, the impact of sexual assault on victims and the command, and processes for holding alleged offenders appropriately accountable. SAPR-F was originally developed as a one-time Navy-wide training. Every E-6 and below Sailor completed SAPR-F prior to April 2013. Since then, components of SAPR-F were included in various other training forums.

Cultural Orientation at Accession Points

Navy has various accession points through which approximately 35,000 individuals join the Service as Sailors each year. Navy capitalizes on the opportunity to mentor new Sailors, instill Navy Core Values, and establish the level of expectation for command culture and climate. All accession points provide incoming Sailors initial sexual assault training.

Each of the Navy accession venues customized SAPR training embedded in the indoctrination curriculum. These accession points are the U.S. Naval Academy (USNA), Reserve Officer Training Command (ROTC), Officer Training Command, and Delayed Entry Program. In August 2013, Navy Recruiting Command implemented SAPR Delayed Entry Program, a mandatory pre-accession training to civilians pending enrollment into a Navy accession program. The SAPR Delayed Entry Program defines Navy policy standards related to sexual harassment, sexual assault, professional expectations, and potential disciplinary actions for future Sailors.

Recruit Training Command at Great Lakes

The Recruit Training Command trains individuals to embrace Navy Core Values and the concept of what a shipmate is and does. Recruit Training Command staff members transform civilians into basic Sailors over a 59-day period. Experts provide training in multiple formats. In the first week, new recruits receive a 90-minute SAPR presentation,

participate in open discussion, and watch a video. Recruit Training Command instructors also deliver SAPR-F training and present information on the UCMJ.

The Naval Health Clinic Great Lakes provides a one-hour recruit wellness brief called Reinforcing Education to Achieve Health on several topics including sexual health awareness and good decision making in sexual matters. Prior to graduation and off-base weekend privileges weekend, the Recruit Training Command staff give recruits a liberty brief, emphasizing the importance of shipmates looking after each other, and avoiding situations that place them at risk.

United States Naval Academy

USNA SAPRO provides annual training and education opportunities for all midshipmen, faculty, staff, active duty, and civilian personnel. Training and education sessions range from large group informational sessions to small, interactive discussions.

The primary training for midshipmen is the Sexual Harassment and Assault Prevention Education program, a tiered approach aligned with the four-year USNA curriculum. The curriculum includes embedded concepts of the continuum of harm, as well as building leadership ethics and culture. The program deconstructs cultural myths about accepted behaviors and provides practical intervention tools for leaders. In addition to the formal Sexual Harassment and Assault Prevention Education course, midshipmen receive briefings by SAPRO staff members at the fall and spring brigade reforming and prior to summer training. The briefings increase awareness, identify specific risks, and provide bystander intervention training. Since 2012, midshipmen also receive SAPR-L and SAPR-F training.

New Officer Training

The Officer Training Command curriculum requires training on SAPR, inappropriate touching, and fraternization. Students receive a brief from the chaplain and initial SAPR training. Over the nine-week program, additional SAPR training covers the definition of sexual assault, reporting options, and the role of the SARC and SAPR Victim Advocates (VAs). The course supervisor also briefs students on bystander innovation during liberty briefs. All students receive brochures and wallet-sized cards during initial SAPR training. Handouts contain explanations of the reporting options as well as the DoD Safe Helpline contact information. The command also provides a designated room and telephone for Sailors to make private Safe Helpline calls.

Navy ROTC units provide initial SAPR training to midshipmen during freshman orientation. Sophomore, junior, and senior ROTC midshipmen complete SAPR-F/L training within the first 90 days of the fall semester. Posters in the unit spaces prominently display SAPR and Safe Helpline information.

SAPR Stand-down

In 2013, the Secretary of Defense directed a DoD-wide SAPR stand-down. Navy command triads held a two-hour stand-down and facilitated a small-group, open discussion. The conversation focused on generating the right command environment, the role of leadership, sexism and sexual harassment, and fair and equal treatment. The stand-down led to many dynamic conversations that helped connect Sailors and leadership, enhancing command cohesiveness. Sailor response was overwhelmingly positive, many commenting positively on providing a venue in which Sailors could openly communicate with their command leadership.

Additional Training and Awareness

Navy continually seeks any and all opportunities to enhance and supplement training and awareness, carefully balancing the correct training dosage to ensure effectiveness. Sexual Assault Awareness Month (SAAM) campaigns enable Navy to target demographics within the force and assure consistent messaging of creating a respectful and professional environment. SARCs collaborate with command SAPR personnel to execute more than 575 prevention-based activities annually. In FY13, a wide range of events and programming provided prevention outreach and training to over 113,000 personnel throughout Navy installations.

Every April, SAAM commits to raise awareness and promote the prevention of sexual violence with special events and public education. SAAM observance adds to ongoing efforts to reinforce Navy's commitment to strengthening a professional climate. SAAM plays a role in command climate improvement, teaching the cultural imperatives of mutual respect and trust, team commitment, and professional values. SAAM activities support an environment that prohibits unequal treatment, sexual harassment, and sexual assault.

Under CNO's direction during SAAM 2012, all Navy commands held an unprecedented two-hour SAPR stand-down with face-to-face discussions for all unit members. To facilitate the unit stand-downs, commands were provided training modules and reference material to include facilitation guides and recorded interviews of Navy leaders discussing sexual violence in the Navy.

Navy encourages command-level innovation to train and educate Sailors. Initiatives include personal videos, blog posts, web forums, and SAPR-related magazine articles. During SAAM 2012, U.S. Pacific Fleet hosted a SAAM Breakfast to receive direct input on the effectiveness of training from Sailors, and to solicit perceptions on sexual assault issues. Also in support of SAAM 2012, Pacific Fleet Sailors at Joint Base Pearl Harbor-Hickam raised awareness by displaying pairs of shoes to represent the Navy sexual assault victims in the previous year.

Next Training Steps

Navy has two new training projects in development. The first is Bystander Intervention to the Fleet training, a peer-delivered skills training to enable Sailors to identify situations that require intervention, and have the skills necessary to actively and safely intervene. The second training, Living Our Core Values: Chart the Course, will combine video vignettes and small group-facilitated discussions to address continuum of harm behaviors including sexism, sexual harassment, and sexual assault.

1.5 INTERVENTION AND PRESENCE

In addition to institutional and leadership levels of engagement in prevention efforts, individual Sailors must act to reduce sexual assault incidents. Among other personally driven motives, Sailors learn to intervene and support one another with bystander intervention.

Bystander Intervention

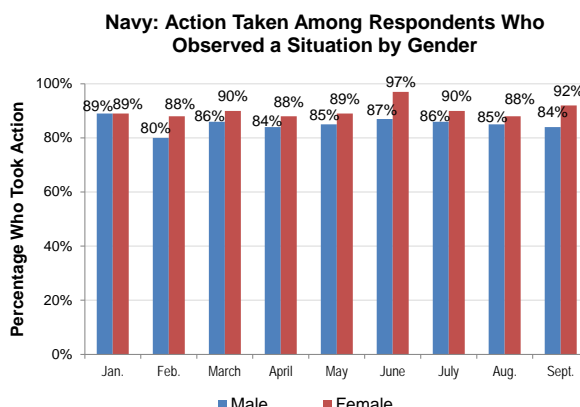
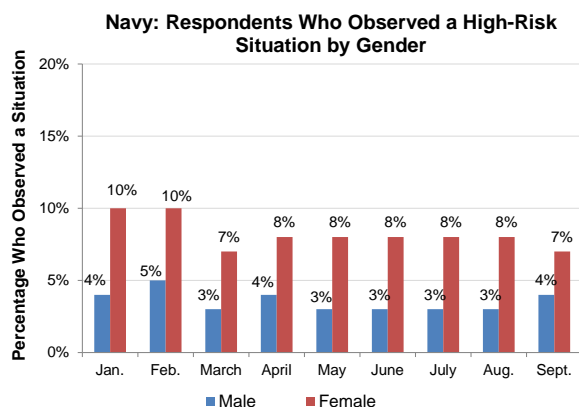
Bystander intervention is a major tenet of Navy prevention strategy. Bystander intervention positively impacts command climate so that Sailors feel safe among each other, and empowers them to intervene on another Sailor's behalf, if necessary. Navy emphatically encourages bystander intervention in SAPR-related trainings at all levels. The Great Lakes SAPR program supported a lead initiative by providing a bystander intervention program for all students assigned to advanced skill training sites (A Schools). In FY13, the SAPR program and Fleet and Family Support Center counselors supported 598 classes with over 14,000 Sailors attending.

Sailors receive different forms of bystander intervention training to help them recognize situations which require action and understand how to safely intervene. One training scenario uses Sailors and actors to role play real life situations where intervention is necessary. The team training event creates unit cohesion which carries over to Sailors working together to protect and help each other. Additionally, a U.S. Pacific Fleet social media campaign in 2014 developed the hashtag #StepUpStepIn, to promote bystander intervention related to sexual assault. The #StepUpStepIn hashtag appeared on social media more than 100 times since March 2014, resulting in more than 1,000 likes, shares, and retweets.

The Defense Equal Opportunity Management Institute (DEOMI) Organizational Climate Survey (DEOCS) is a confidential, command-requested development survey focused on issues of equal opportunity and organizational effectiveness. Navy mandates that commands conduct the DEOCS within 90 days of a change of command, and annually thereafter. Navy uses DEOCS results to indicate the effectiveness of bystander intervention training. Figure 2 shows monthly trends from 2014 that Sailors do intervene. A difference in responses between male and female intervention highlights the need for continued focus on training and establishing a standardized perspective to determine high-risk situations. High-risk situations are defined as situations that were,

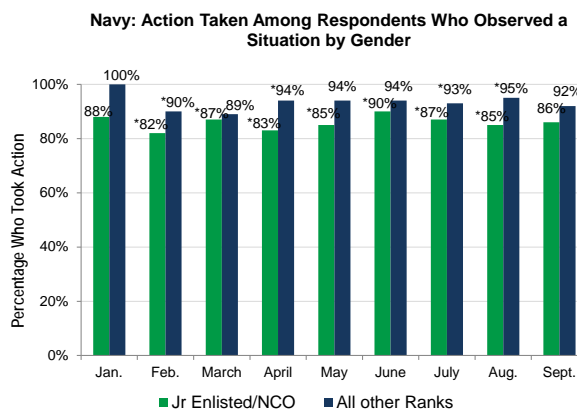
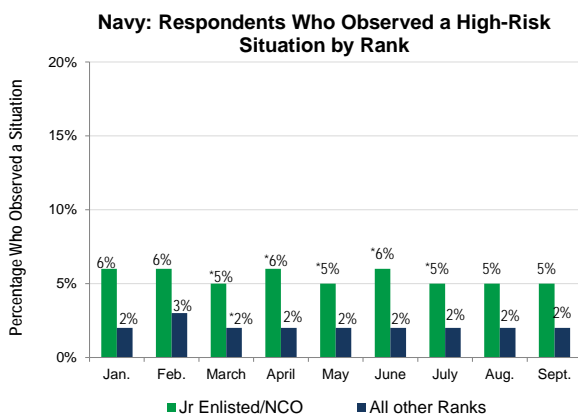
or could have led to, a sexual assault.

Figure 2: Bystander Intervention by Gender (2014)



Results also reveal an intervening action gap between ranks. Figure 3 shows that junior Sailors are more likely to observe a high-risk situation, yet are slightly less likely to act, compared to other ranks shown in the graph below. Bystander Intervention to the Fleet training is designed to empower junior Sailors to feel more confident in intervening.

Figure 3: Bystander Intervention by Rank (2014)



Tactical Improvements

Navy implemented several tactical prevention initiatives. Command surveys of facilities identified areas that required better lighting, visibility, and other safety improvements to reduce the vulnerability of Sailors. In October 2013, all Navy Fleet Commanders instituted roving barracks patrols, led by senior enlisted personnel or experienced junior officers, to increase the visible presence of leadership to deter behavior that may lead to sexual assault or other misconduct. Personnel assigned as barracks resident advisors are screened to ensure they are mature, effective leaders, and receive resident advisor training. All Sailors residing in barracks attend indoctrination training, which includes a sexual assault prevention module, within 30 days of occupancy.

1.6 PARTNERSHIPS ACROSS NAVY

Navy leadership created avenues to ensure a cohesive workflow across organizations. The CNO SAPR cross-functional team is a multidisciplinary forum creating synergy and focused effort among Navy stakeholders. Major stakeholders represent disciplines such as policy and resourcing, investigations, legal, medical support, victim advocacy, and fleet organizations. Stakeholders collaborate on prevention initiatives, response and support, training, and policy and legislation.

A U.S. Fleet Forces Task Force combined leadership from Navy fleet and shore infrastructures to undertake initiatives across the five SAPR LOEs. This ensures synergy across Navy, shares knowledge, and coordinates across the Navy enterprise for a comprehensive solution.

Most U.S. Pacific Fleet regions have a periodic SAPR council meeting led by the region commander with major Fleet and Force level Flag Officers in the same geographic area. These meetings assist in aligning program goals, sharing best practices, and identifying leading indicators that may require leadership awareness and action.

Personal Readiness Summits, co-sponsored by Office of the Chief of Naval Operations and U.S. Pacific Fleet, cover SAPR briefings to leadership, program managers and deckplate supervisors. In FY11, 4,900 Sailors were trained, and the summit grew over the years to reach more than 24 naval installations and nearly 15,000 Sailors of all ranks in FY13.

1.7 POSITIVE TRENDS

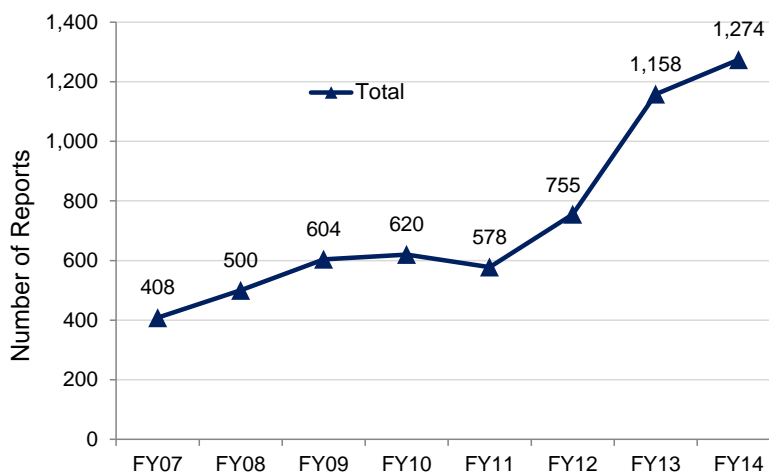
Navy's prevention efforts center around creating a command climate that sets the conditions in which sexual assault, and other continuum of harm behavior is not tolerated. Navy uses sexual assault reporting numbers and command climate assessments as two measurement tools to assess progress in prevention efforts.

The DEOCS specifically asks Sailors to rate their perceptions of leadership support for SAPR. Sailor perceptions averaged between 'agree' and 'strongly agree' since this question was added to the DEOCS, and these positive responses continued.

Assessing Command Climate through Reports

Sexual assault is an underreported crime. Increasing the number of sexual assault reports is an indicator of command climate improvement. When a Sailor trusts the command to respond appropriately, he or she is more likely to make a report. Therefore, Navy aims to increase confidence in the confidentiality and quality of program resources to help Sailors feel empowered to report. Figure 4 shows the positive trend of increased sexual assault reports, in part due to positive command climates where victims feel more comfortable in reporting. FY14 Reports are trending at 10% over FY13.

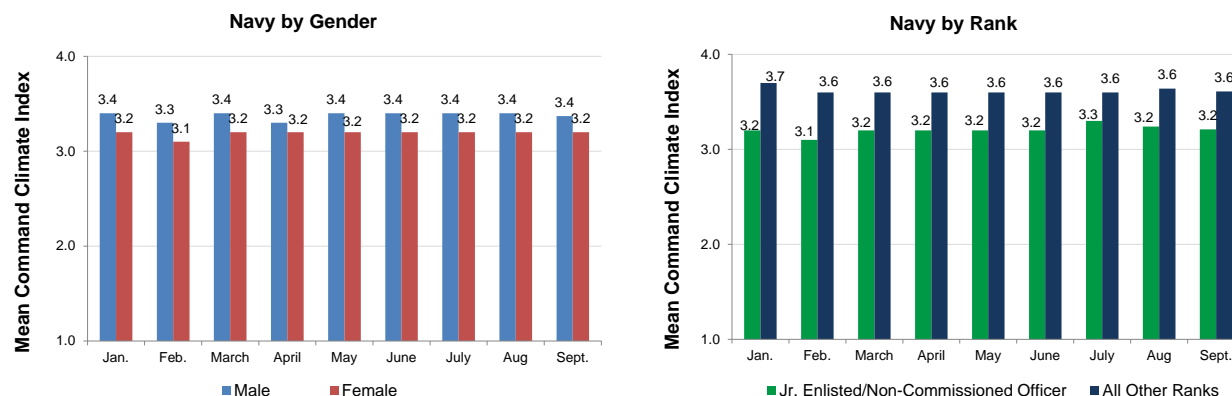
Figure 4: Navy Reports of Sexual Assault



Perceptions of Command Climate

Metrics from the DEOCS indicate Sailors view their command’s climate positively. Results show commands promote a climate based on respect and trust, and actively discourage sexist comments and behaviors. As seen from the 2014 monthly trends in Figure 5, a slight gap exists with females and junior enlisted personnel having a slightly lower perception of command climate at their commands, but these groups still trend positively. Navy will continue to improve the perception of command climate and culture with engaged leadership and a respectful working environment.

Figure 5: Command Climate Index (2014)



Surveyed Estimated Prevalence of Sexual Assault

The 2014 estimated prevalence results using the comparable 2012 WGRA survey methodology indicate that 5.1% of women experienced unwanted sexual contact, a decrease from the 7.2% of women in 2012, and 1.1% of men experienced unwanted sexual contact, compared to the 2.7% men in 2012. These results are a step in the right direction, and indicate that Navy’s SAPR efforts are working. Navy will continue with prevention efforts, setting the conditions for a command climate that does not

condone, tolerate, or ignore sexual assault.

1.8 CONCLUSION

Navy maintains high expectations from every member of the Total Force, and is dedicated and determined to foster an environment of complete respect and trust. Preventing sexual assault is a Navy problem that requires a Navy solution. Every member of the Navy team must be actively engaged to prevent sexual assaults from occurring. Strong leaders at the forefront demonstrate Navy's prevention efforts. Sailors receive specialized training to increase SAPR education and awareness, and support their peers to ensure they stay safe.

Innovation and strategic thinking drive the creation and implementation of new programs. Setting and adhering to expectations of professional behavior and an environment of mutual respect is critical to Navy's success, and will be accomplished through efforts at the institutional, command, and individual levels. All Sailors deserve, and must expect, a safe and secure work and living environment, and a culture intolerant of sexual harassment and sexual assault.

Response to sexual assaults is, in itself, a prevention tool. Navy is committed to professional and independent investigative capability, a fair and just adjudication process, and focused and compassionate support and advocacy for victims.

Line of Effort 2: Investigation

2.1 INTRODUCTION

If prevention measures fail and a sexual assault incident involving a Sailor occurs, Navy responds with thorough investigations, actions to support the victims, and a fair and transparent process to hold offenders appropriately accountable. The DoD Inspector General instruction requires that Military Criminal Investigative Organizations investigate all reports of sexual assault, to include contact offenses. Therefore, all Unrestricted Reports of sexual assault within Navy are referred to NCIS (or another Service Military Criminal Investigative Organization in certain locations), regardless of severity, with the goal of yielding timely and thorough investigations. Commands are specifically directed not to conduct internal investigations for reports of sexual assault and must immediately notify NCIS upon receipt of a report.

2.2 POPULATIONS AFFECTED

NCIS is the key organization responsible for investigating Unrestricted Reports of sexual assault within Navy. NCIS investigations will likely involve the victim, alleged offender, and witnesses. Other first responders or entities involved when a sexual assault is reported include SARCs, SAPR VAs, chaplains, healthcare professionals, staff judge advocates, trial counsel (prosecutors), Victims' Legal Counsel (VLC), and

other Special Victim Capability (also known as Special Victim Investigation and Prosecution capability personnel), as well as other Victim Witness Assistance Program personnel.

Sexual Assault Victim

In a continuing effort to improve SAPR efforts, a DoD-wide Survivor Experience Survey was launched in June 2014 to provide a mechanism to receive feedback from sexual assault victims. The survey asks about the victim's experience with the entire response process, and specifically about their experience with the military investigation process. The results will provide unprecedented insight into how victims perceive Navy's response system and highlight opportunities for further improvement.

Navy anticipates and expects that victims will be kept better informed of the status of their case with the expansion of the victim advocacy team. Victim Advocacy and Assistance (LOE 4) addresses support offered to victims in greater detail.

Sexual Assault Response Coordinators

SARCs play a key role in investigations as they are often the first responders when Sailors report sexual assaults. The SARCs coordinate appropriate and responsive care to sexual assault victims and notify the victim's CO of the sexual assault report.

Naval Criminal Investigative Service

NCIS first established dedicated agents to work on adult sexual assaults, child sexual/physical abuse, and domestic violence crimes in the mid-1990s. Through the years, NCIS continued to build a cadre of agents dedicated to working what are now termed "special victim crimes."

NCIS receives notification of Unrestricted Reports through various channels including directly from victims, SARCs, commands, local authorities, and friends and family of victims. Command notifications are the most common initiations of investigation. Command personnel are often the first to identify changes in behaviors for the involved parties and sometimes become the first confidants.

2.3 PROCESS/PROCEDURAL UPGRADES AND EFFICIENCIES

Uniform Code of Military Justice

In June 2012, Congress revised Article 120 of the UCMJ, and in January 2013 DoD policy was revised requiring Military Criminal Investigative Organizations to investigate all allegations of sexual assault, to include contact offenses and attempts, regardless of the severity of the allegation. That change led to an immediate increase in case loads for NCIS as they previously focused primarily on penetration offenses. In addition to the change in policy, reports of sexual assault within the Navy also increased, impacting the

capacity to conduct investigations and requiring additional manpower to be directed away from other investigations and operations. From June 2012 through 2014, NCIS saw an 85% increase in the number of reported adult sexual assaults. The volume of investigations resulted in NCIS having to recode many criminal investigation billets to support the Family and Sexual Violence mission, which investigates sexual assaults.

Due to the increase in sexual assault reporting, NCIS received 54 billet enhancements from DON in July 2013. These billets encompassed 41 special agents and 13 support staff personnel. The special agents completed six months of training at the Federal Law Enforcement Training Center and are currently assigned to field offices participating in the Field Training Evaluation Program. During the field training, new special agents investigate crimes such as larcenies, burglaries, and drug offenses to gain experience and further develop their investigative skills. These special agents do not work sexual assaults cases, but their presence allows for the more experienced agents to solely focus on investigating sexual assault cases.

In an effort to assist NCIS in investigating the increased number of reported sexual assaults, NCIS partnered with Navy to activate 23 Master-at-Arm (MA) Reservists for a one-year period. Mostly state and local police officers and detectives, these Reservists already possess the investigative expertise needed to investigate sexual assault allegations. Upon activation, the Reservists attended five-weeks of instruction on NCIS policy at the Federal Law Enforcement Training Center, advanced interviewing and interrogation techniques, crime scene processing and management, and advanced sexual assault training. MAs, under the direct supervision of NCIS special agents, are currently working on caseloads at their assigned duty stations. Additionally, NCIS will begin a three-year pilot program in early FY15 to professionalize and enhance the investigative capabilities of active duty MAs. Upon completion of the same five-week course attended by the Reservists and an eight-week Military Police Investigator's course, 12 selected active duty MAs will be assigned to NCIS field offices as investigators under the supervision of NCIS special agents.

Sexual Assault Forensic Examinations

Sexual Assault Forensic Examinations (SAFE) gather evidence that may aid in an investigation. Medical treatment and access for victims necessitated development of a robust, integrated, interdisciplinary program to ensure 24/7 availability of a SAFE in the major military treatment facilities. Program managers are actively engaged in laying the groundwork for sustaining proficient, confident, caring, SAFE providers to meet the needs of victims of sexual assault. Military treatment facilities around the globe trained a total of 324 Navy SAFE providers. In U.S. Fleet Forces, 287 providers are trained to provide SAFE care on 123 surface, air, expeditionary, and submarine platforms. In the Pacific Fleet, 191 healthcare providers are trained to provide SAFE care on 142 surface, air, and submarine platforms. Additionally, 57 providers attached to the Military Sealift Command underwent SAFE training. All Navy ships have a SAFE trained medical provider assigned.

Interagency Collaboration

Navy increased collaboration with other government agencies to improve procedural interoperability for the collection of evidence. Since 2012, DON SAPRO collaborated with the Department of Justice, the Navy Bureau of Medicine and Surgery (BUMED), and local stakeholders to explore the feasibility of telemedicine support for SAFEs at remote sites. BUMED coordination efforts serve the dual purpose of enhancing compassionate medical support for sexual assault victims while also improving the professional collection of forensic evidence for criminal investigations and prosecutions. SAFE kits processed through the U.S. Army Criminal Investigation Laboratory undergo a quality assurance review and have significantly faster processing times, averaging 70-78 days, versus 180 days in civilian laboratories.

Text & Web Tip Line

In December 2011, NCIS established the Text & Web Tip Line program as part of the “See Something, Say Something” campaign. The NCIS Text & Web Tip Line is an anonymous tip collection system that has proven invaluable in collecting actionable intelligence in support of the criminal investigative mission. It gives Sailors a discreet, secure, and anonymous reporting option to report crimes or concerns without fear of retaliation from peers, or perceived pressure from within the chain of command. This encrypted system equipped NCIS with the ability to provide direct feedback and real-time connectivity with the tipster across multiple platforms. The reporting party may remain anonymous or refrain from participating in an investigation. To date, NCIS has received 99 tips pertaining to allegations of sexual assault within Navy.

Judge Advocates Serve as Article 32 Hearing Officers

Navy continues its practice of using judge advocates to serve as investigating officers for Article 32 hearings in order to enhance competence in the investigation of sexual assaults. On August 14, 2013, the Secretary of Defense implemented seven initiatives to gain greater consistency of effort and enhance oversight, investigative quality, pretrial investigations, and victim support. One of the initiatives mandated judge advocates to serve as investigating officers for all Article 32 hearings on sexual assault offense charges. Navy formally adopted the requirement in policy.

2.4 NAVY INNOVATIONS AND BEST PRACTICES

NCIS also expands beyond its primary investigative function to offer education and training to commands with specific briefs focused on awareness, prevention, and bystander intervention. NCIS special agents provide training for SAPR VAs, command stand-downs, and other SAPR-related events.

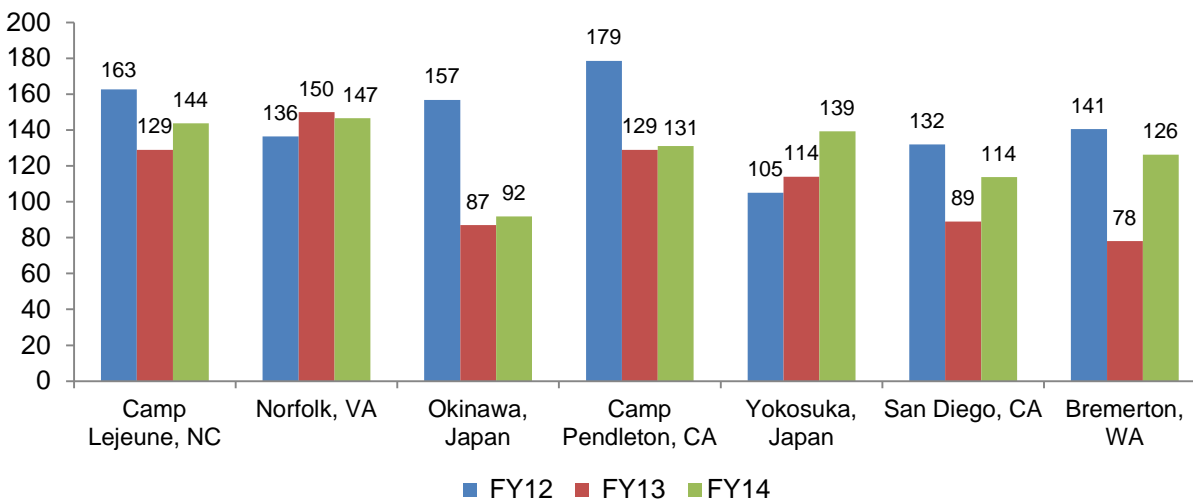
Investigation efforts focus on ensuring due process to both the victim and alleged offender. As a component of Navy’s Special Victim Investigation and Prosecution team, within 48 hours of a reported sexual assault, NCIS collaborates with Navy prosecutors

responsible for the potential prosecution of the alleged offender. The goal of this collaboration is to ensure the investigation meets the legal standards for prosecution.

Adult Sexual Assault Program

NCIS created the Adult Sexual Assault Program (ASAP) to provide a distinct and recognizable group of personnel to investigate sexual assault related offenses. This initiative is an operational shift whereby dedicated teams of NCIS personnel investigate reports of sexual assault. Upon receiving a report, ASAP personnel employ a surge team response to complete investigative activity in a timely manner, resulting in the faster delivery of an investigative package to the convening authority (the individual responsible for adjudicating the case). Members of the team collaborate with prosecutors and victim advocate personnel, in accordance with Congressionally mandated Special Victim Capability criteria, also known as Special Victim Investigation and Prosecution capability. ASAP teams are located in the largest fleet concentration areas where the volume of sexual assault reports is the greatest. NCIS established ASAP teams in seven locations. Most importantly, ASAP teams increased investigation performance while sustaining the quality and thoroughness of investigations. Figure 6 shows the implementation of the ASAP's impact on investigation length by location.

Figure 6: ASAP Offices Average Days for Active Investigation



NCIS investigation timelines are calculated from initial notification until the date all investigative leads are completed and the case is forwarded to command for administrative or judicial action. The average timeline for FY13 NCIS investigations in offices with ASAP teams was 110 days, which is a 24% decrease from 144 days in FY12. However, FY14 shows a spike in investigation timelines to 127 days. This increase can likely be attributed to the increase in the number of reported sexual assaults, and changes in the requirement for Military Criminal Investigative Organizations to investigate all allegations of sexual assault to include contact offenses.

Crime Reduction Program

The NCIS Crime Reduction Program continues to publicly address criminal activity that impacts the military community. Partnering with DON, the Crime Reduction Program uses meetings, speeches, and briefs to raise sexual assault awareness, increase victim and Service member confidence, and promote bystander intervention. Crime reduction efforts focus on reducing the occurrence of sexual assaults.

2.5 TRAINING ENHANCEMENTS

NCIS made substantial advancements to enhance the quality and quantity of investigation training since 2011. NCIS employs a three-phased approach to sexual assault training covering basic, refresher, and advanced training. These efforts include establishing basic investigative skills, honing core competencies, and advancing subject matter expertise of sexual assault investigations. NCIS develops and conducts training in collaboration with prosecutors, psychologists, OJAG's Trial Counsel Assistance Program (TCAP) and Criminal Law Division, SARCs, sexual assault nurse examiners, the U.S. Army, and U.S. Air Force.

To meet Special Victim Capability requirements, special agents and investigators must attend advanced training in adult sexual assault, child physical and sexual abuse, and domestic violence. Both NCIS courses, Advanced Adult Sexual Assault Investigation Course and the Advanced Family and Sexual Violence Training Program, meet stipulated requirements.

NCIS' goal is to provide advanced training to all personnel who could potentially respond to, and/or investigate adult sexual assault. This advanced training focuses on the effects of trauma on the memory of victims who have been sexually assaulted. Additionally, special agents and investigators training includes understanding and respecting a victim's immediate priorities; ensuring victims that their criminal complaint will be taken seriously and fully investigated; establishing transparency and trust with the victim; helping to restore the victim's sense of control; explaining the investigative process to the victim; and understanding interview techniques that can assist the victim's recollection. NCIS currently employs 1,050 special agents and investigators, with 161 dedicated solely to investigating Special Victim Capability crimes.

Since August 2012, 118 of the dedicated personnel and 140 non-dedicated personnel have attended training for adult sexual assault investigations. Prior to the FY14 Q3, satisfying training requirements was difficult, as the only advanced training available to NCIS was the U.S. Army Criminal Investigation Division's Special Victim Unit Investigations Course. The Army course is taught only once per month and NCIS had a limited number of training seats per course. To accelerate training of agents, in FY14 Q4, NCIS developed and commenced a NCIS-specific Advanced Adult Sexual Assault Investigators Course, held at the Federal Law Enforcement Training Center. To date, 258 NCIS Special Agents and Investigators have attended the advanced training in sexual assault investigations, and with continued funding in FY15, NCIS will offer 11 additional courses.

2.6 CONCLUSION

NCIS continues to enhance the skill sets of special agents and investigators as subject matter experts in sexual assault investigations. NCIS will continue to evaluate and revise in-service training for NCIS personnel to ensure it meets statutory requirements and community standards. The quality of NCIS training courses led to improvements on procedural efficiency across the entire Fleet. Navy continues to innovate with programs including SAFE capability, Text & Web Tip, and ASAP. These measures demonstrate the dedication Navy and NCIS put forth to provide commanders with the best information to hold offenders who commit sexual assault appropriately accountable.

Navy's primary goal is to prevent sexual assault by creating an environment in which Sailors and leaders do not tolerate, condone, or ignore sexual assault. However, if prevention efforts fail, Navy is committed to ensuring thorough investigations are conducted of all sexual assaults. Navy will maintain and improve its high competence in sexual assault investigation and foster coordination between investigators and judge advocates. Investigative personnel discover and prepare evidentiary information about the allegation of sexual assault so that commanders, with the advice and assistance of staff judge advocates and trial counsel, have the necessary information available to adjudicate the case and hold offenders appropriately accountable.

Line of Effort 3: Accountability

3.1 INTRODUCTION

Navy understands, institutes, and emphasizes the importance of accountability at the institutional, command, and individual levels. Accountability is more than a consequence for unacceptable behaviors; it also adds another level of deterrence for conduct throughout the continuum of harm. Command leadership must create a command climate intolerant of sexual harassment and sexual assault. Individual Sailors must treat each other respectfully and watch out for each other. Prevention (LOE 1) addresses these types of accountability for non-offenders. Pursuant to the DoD definition of LOE 3, this section focuses on Navy's disposition and adjudication processes to hold offenders appropriately accountable.

3.2 POPULATIONS AFFECTED

Sexual assault incidents involve multiple populations, services, and agencies in the adjudication of sexual assault cases. In order to hold offenders appropriately accountable and uphold due process of law, sexual harassment and sexual assault cases may proceed through many different disciplinary or administrative forums. Over the past three years, Navy increased the number of dedicated personnel, training, and resources to include judge advocates, Victims' Legal Counsel, NCIS, Special Victim Capability/Special Victim Investigation and Prosecution personnel, and other legal assistants. Additional personnel, training, and resources improved case load

distribution, and reinforced experience and expertise in cases involving reports of sexual assault.

Commanders

SAPR is more than a legal issue, it is a leadership issue. The performance, safety, and climate of a unit begin and end with the commander. As described in the “Charge of Command” that all Navy officers sign in the presence of their reporting senior upon taking command, COs are responsible and accountable for everything that happens on their ships, or in squadrons, or units. By virtue of experience, skill, and training, Navy commanders are the best assessors of their people and are the key to sustaining the readiness of their unit. To implement effective and permanent change in Navy, it must be done through commanders.

Navy understands many of the factors surrounding the majority of sexual assaults from analysis of sexual assault reports and cases. The commander is responsible to address these factors by fostering an appropriate command climate of dignity and respect for everyone, and ensure safe workplaces and living areas. Overall, the CO is responsible for good order and discipline of the unit and the well-being of Sailors.

The responsibility, authority, and accountability Navy places in the commander requires that he or she is provided with the tools to maintain appropriate readiness and safety every day. Military justice is one of those tools. The fundamental structure of the military justice system and UCMJ, centered on the role of the commander as the convening authority, supported by the staff judge advocate, is sound. Navy commanders are often required to make independent decisions far from shore, in uncertain or hazardous conditions. In this environment, it is essential that commanders be involved in each phase of the military justice process, from the report of an offense through adjudication under the UCMJ.

Trial Counsel

Navy’s Regional Legal Service Offices have an experienced cadre of litigation specialists, and military justice expert judge advocates serving in litigation-intensive billets. This includes the nine regional Senior Trial Counsels which prosecute the most complex cases while supervising, mentoring, and training junior trial counsel. Navy Regional Legal Service Offices are supported by Navy’s TCAP which provides seasoned advice, assistance, and support throughout all phases of the investigation and court-martial process. TCAP is staffed by both uniformed and civilian personnel, to include a nationally recognized former civilian prosecutor and a highly-qualified expert.

Defense Counsel

Alleged offenders are provided equally capable and qualified defense counsel through Navy Defense Service Offices. Operating under a four region construct, Defense Service Offices provide zealous defense to members accused of sexual assault.

Similar to TCAP for the prosecutors, defense counselors have reach-back capability to the Navy's Defense Counsel Assistance Program which also has a highly-qualified civilian expert providing advice, assistance, and training to uniformed defense counsel.

Staff Judge Advocates

Navy commands are also required to consult with judge advocates in every sexual assault case. In addition, commanders must specify the judge advocate consulted prior to taking final disposition action and submitting the close-out report. This helps ensure visibility of all sexual assault cases and judge advocate consultation prior to a command disposing of a case. Staff judge advocates also provide formal, written legal advice to general court-martial convening authorities pursuant to Article 34, UCMJ prior to the convening authority referring charges to a general court-martial.

Victims' Legal Counsel

The Navy VLC Program was established in August 2013. VLCs provide independent legal counsel to sexual assault victims. VLC is considered one of Navy's best practices because in addition to providing legal advocacy and support for victims of sexual assault during the military justice investigation and adjudication processes, it contributes to victims participating in the entire military justice process. Navy VLCs specifically assist victims to understand and exercise reporting options; work with victims through the investigative and military justice processes; advocate for the victim's rights and interests; and help victims obtain access to other support resources.

Naval Criminal Investigative Service

Close coordination between NCIS agents and judge advocates enhances Navy's ability to share investigative information for proper adjudication. Over the years, two NCIS Sexual Assault Task Forces conducted a pilot program with judge advocate prosecutors to ensure early collaboration and ongoing multidisciplinary review of cases at the Senior Trial Counsel and supervisory special agent level. Navy's Victim and Witness Assistance Program personnel advise victims and witnesses of their rights. NCIS agents and trial counsel work with Victim and Witness Assistance Program personnel to provide initial notification and information. Trial counsels have responsibility for advising victims at key milestones throughout the courts-martial process.

Special Victims Investigation and Prosecution Capability

OJAG established a Special Victim Capability for prosecutors, paralegals, and legal support personnel, known as the Special Victim Investigation and Prosecution group. As defined by FY13 National Defense Authorization Act, the Special Victim Investigation and Prosecution group works with all professionals who investigate, prosecute, and provide support for allegations of sexual offenses. This group of skilled professionals includes Military Criminal Investigative Organization investigators, judge advocates, Victim and Witness Assistance Program personnel, and administrative paralegal

support personnel. In September 2013 and 2014, Navy offered Special Victim Capability Courses to personnel in these roles. Due to the presence of Special Victim Capability personnel at the training, it enhanced the competency of judge advocates and increased collaboration between Special Victim Investigation and Prosecution personnel. This helps ensure a more thorough investigation, enhanced victim support, and appropriate accountability in sexual assault cases.

Alleged Offenders

Navy policy requires Service members who commit sexual misconduct, to include rape, sexual assault, stalking, forcible sodomy, child sexual abuse, possession or distribution of child pornography, and incestuous relationships to be processed for administrative separation. In FY13, Navy began releasing courts-martial results on a public domain website, and continues to do so to increase transparency of accountability actions and to serve as a deterrent to others.

3.3 NAVY INNOVATIONS AND BEST PRACTICES

Military Justice Litigation Career Track

In 2007, to improve the overall quality of Navy court-martial litigation, the Judge Advocate General (JAG) Corps established the Military Justice Litigation Career Track. JAG Corps officers apply for designation as military justice specialists or experts based on their litigation experience. Military Justice Litigation Qualified officers are detailed to lead trial and defense departments at Regional Legal Service Offices and Defense Service Offices, which provide Navy prosecutors and defense counsel, respectively. These officers provide proven experience in the courtroom, personally conducting, adjudicating, or overseeing litigation in sexual assault and other complex cases.

The capstone position of the Military Justice Litigation Career Track is the Chief Judge of DON. This officer is one of four Assistant Judge Advocates General and is eligible for promotion to the rank of O-7 upon retirement. This position promotes vitality and career progression to Flag Officer rank for Navy judge advocates with significant military justice expertise. The Military Justice Litigation Career Track program increases the experience levels of trial and defense counsel and leverages that experience to enhance the effectiveness of criminal litigation practice.

Many mid-career Military Justice Litigation Qualified officers are also sent to a year of post-graduate education and earn advanced law degrees in litigation and trial advocacy.

In 2014, Navy made the deliberate decision to elevate the rank and experience of the senior trial and senior defense, assigning officers with approximately 15 or more years of service and experience into the litigation billets at the largest installations that have the heaviest caseloads. This will ensure that not only will the most difficult cases receive the highest levels of advocacy, but that these career litigators will be able to more effectively mentor and groom junior counsel.

Civilian Externships for Prosecutors

To further refine the JAG Corps' litigation capabilities, in 2012 the Navy established an externship program and assigned two mid-level Military Justice Litigation Qualified career officers to work in the sex crimes units in the Office of the State Attorney in Jacksonville, Florida, and the San Diego District Attorney's Office in San Diego, California. These six-week clinical training externships enabled the officers to gain valuable practical experience and insight into how civilian prosecutor's offices manage a high volume of sexual assault cases. In May 2014, the Secretary of the Navy submitted an additional request to DoD for assignment of three additional Military Justice Litigation Qualified officers to three other civilian jurisdictions.

Victims' Legal Counsel Best Practices

VLCs advise and assist sexual assault victims in understanding and participating in the military justice system. Increased understanding of military justice disciplinary processing assists victims in playing a more effective role in those processes when they choose to do so. As of July 2014, VLCs engaged NCIS/law enforcement on over 600 occasions, trial counsel on more than 1500 occasions, and defense counsel on over 130 occasions in working with victims. VLCs, upon request of their clients, advocate on behalf of victims at pre-trial motions hearings and Article 32 investigations, and are present at courts-martial to answer questions and prepare victims for their testimony. Victims report greater confidence and trust in participating in the military justice process after working with VLCs.

Naval Justice School Best Practices

The Naval Justice School provides the majority of Navy judge advocate training and prepares each judge advocate for courtroom litigation. From FY11-14, the Naval Justice School trained 264 Navy judge advocates in the Basic Lawyer Course. All judge advocates must complete the 10-week Basic Lawyer Course in order to receive Article 27(b), UCMJ certification. The Naval Justice School also offers Basic and Intermediate Trial Advocacy Courses, as well as a specialty course on litigating complex cases.

The Prosecuting Alcohol Facilitated Sexual Assault course specifically addresses cases in which alcohol is a factor. It demonstrates to judge advocates how to make charging decisions in sexual assault cases, analyze credibility and corroboration, and try the case. The Defending Sexual Assault Cases course, in conjunction with the Center for American and International Law, provides defense counsel training on sexual assault litigation. The Prosecuting Alcohol Facilitated Sexual Assault and Defending Sexual Assault Case courses are among the best-attended Naval Justice School military justice courses.

The Naval Justice School continues to offer numerous courses and standardized training to judge advocates and senior officers from the fleet that cover sexual assault related topics. The number of graduates for each course is indicative of the success in

providing SAPR and sexual assault related training in the area of military justice to judge advocates and leaders from the fleet.

3.4 PROCESSES/PROCEDURAL UPGRADES AND EFFICIENCIES

Improved Legal Structure for Handling Cases

In October 2012, OJAG reorganized the Naval Legal Service Command to meet the Navy's evolving demands for expeditionary legal services support, while continuing to provide quality military justice services. The realignment changed the way Sailors receive defense services in 12 locations around the fleet. Similar to procedures at sea, Sailors requesting defense services such as representation for courts-martial or administrative boards will make initial contact with an attorney by telephone or other remote communication technology, with subsequent in-person consultation arranged if necessary. As part of the realignment, the JAG Corps refocused the first two years of all new judge advocate careers by implementing a comprehensive training program in prosecuting and defending cases, providing legal assistance, and advising commands.

Collaboration Outside of Navy

Navy judge advocates also improved efficiencies by working collaboratively with other government agencies and DoD services. Judge advocates attended various outside courses, including those taught by the U.S. Army, U.S. Air Force, Department of Justice, and National District Attorney's Association.

Navy judge advocates attended an advanced trial advocacy course held at and administered by the Center for American and International Law. The course material included substantive lectures and practical segments regarding how to provide an effective defense in sexual offense cases.

In Special Victim Capability cases, experts and the government civilian attorney play a key role in enhancing information flow and knowledge sharing, promoting consolidation of government resources and collaboration between investigators and trial counsel located worldwide. These examples demonstrate increased interoperability between Navy, other military Services, and civilian organizations that led to greater cohesion in efforts to combat sexual assault.

3.5 TRAINING ENHANCEMENTS

Navy continuously adds new training modules to increase the abilities and capacity of individuals involved in accountability for sexual assault. The Naval Justice School and the Litigation Trial Training Coordination Counsel developed courses unique to sexual assault.

Naval Justice School

The Naval Justice School offers several annual trainings for officers in senior, legal, and command roles. The Naval Justice School CO leads a two-hour seminar discussion 14 times per year as part of the Naval War College's Major Command Course. While the seminar covers a variety of legal topics, the single largest portion concentrates on the commander's responsibilities in sexual assault cases. Additionally, the Naval Justice School hosts a three-day Senior Officer Course 38 times per year. Students receive special training on issues involving sexual assault, equipping them to properly handle reports of sexual assault incidents. The Naval Justice School also hosts a Legal Officer course at its east and west coast detachments. This three-week course includes SAPR training designed to increase legal officers' understanding of legal issues they face when a case of sexual assault arises within their command.

The Naval Justice School now offers two newly created courses called Trial Counsel Orientation and Defense Counsel Orientation. These courses begin with the basics of trial litigation for new or returning trial practitioners, and move to the intricacies of litigating complex cases such as sexual assaults, child homicide, and child pornography cases.

Foundational Judge Advocate Training

In 2012, the Navy JAG Corps implemented the First Tour Judge Advocate program, requiring all new judge advocates to complete six-month rotations in legal assistance, trial, defense, and command services for their first two years of service as a judge advocate. Navy Legal Assistance attorneys also received training focused on delivering direct legal assistance to victims, assisting with a wide variety of legal issues associated with sexual assault. These efforts are designed to ensure understanding of victims' rights and the courts-martial process.

Specially Trained Trial Counsel

In September 2013, OJAG's criminal law division offered the first Special Victim Capability course to train prosecutors, paralegals, SAPR VAs, and judge advocates. The training focused on understanding the dynamics of special victim crimes, working with victims, and increasing collaboration of effort within the military justice system. This course improved and enhanced victim care, victim support, prosecution support, and provided a more comprehensive and standardized response to allegations of sexual assault, child abuse, and serious domestic violence offenses. OJAG offered this course again in 2014, with increased attendance and expansion of sexual assault-related topics.

The JAG Corps continues to work with the Family and Sexual Violence Units, to include the ASAP teams. ASAPs consist of advanced-trained sexual assault NCIS investigators, and work in collaboration with SARCs, SAPR VAs, and judge advocates through the investigation and prosecution process. The ASAP initiative also includes

early engagement with legal and victim advocacy personnel.

Under direction from OJAG's Criminal Law Division, the Litigation Training Coordination Council oversees all Navy litigation training. The council identifies and centralizes military justice litigation and trial advocacy training for both the prosecution and defense bars. It provides a macro-level comprehensive review of the training pipeline to ensure that the foundation learned at the Naval Justice School continues to build throughout an attorney's career.

All Senior Trial Counsel and a large majority of trial counsel attended the Prosecuting Alcohol Facilitated Sexual Assaults course and all prosecution offices completed a nine-hour online course of lectures on special victim offenses as of January 2014. The course collaborates with advisors from the Prosecutors Resource on Violence Against Women, to teach trial skills, seminars, and lectures on various aspects of prosecuting alcohol facilitated sexual assault. The Navy continues to staff Military Justice Litigation Qualified judge advocates to serve as Senior Trial Counsel. Additionally, Navy JAG Corps continues to offer fully-funded postgraduate legal education at civilian institutions to help ensure highly-trained and experienced trial and defense counsel.

Trial Counsel and Defense Counsel Assistance Programs

In October 2010, OJAG established the TCAP and Defense Counsel Assistance Program. In support of this initiative, Navy hired three highly-qualified experts who are former civilian prosecutors or defense counsel, in order to provide legal advice and support for both defense and government counsel on case preparation. Since their inception, the programs continue to grow and provide enhanced military justice training to both the trial and defense counsel, particularly in sexual assault cases.

TCAP supports the trial counsel and the staff judge advocates concerning their representation in the courts-martial and post-trial process. TCAP conducts annual inspections on each prosecution office to ensure compliance with instructions, emphasize new developments, and identify leading practices.

TCAP conducts training for trial counsel at every level of experience and expertise to educate and improve counsel judgment and performance. A myriad of training programs provide on-scene and online training to trial counsel in a variety of specialized areas. TCAP training includes annual mobile training team site visits with flexible training sections on special victims' crimes and process inspection. Mobile training teams conduct week-long training sessions in each of the nine Regional Legal Service Offices in coordination with NCIS, focusing on special victims crimes. TCAP sponsors subject matter experts to conduct an interactive web-based training through Defense Connect Online. TCAP also provides in-person training at the Special Victims Unit Investigations Course in Fort Leonard Wood, Missouri and the Federal Law Enforcement Training Center.

Highly-qualified experts from the Defense Counsel Assistance Program organized the Defense Counsel Orientation Course, which brought together military and civilian

defense counsel from all experience levels. This was designed to prepare new defense counsel to represent clients at courts-martial. The Defense Counsel Assistance Program provides enhanced legal knowledge on military justice issues, to include Military and Federal Rules of Evidence; common legal issues encountered in sexual assault trials; and expert assistants and witnesses.

Joint NCIS Training

The joint NCIS and Navy Prosecutor Advanced Adult Sexual Assault Training Program and Advanced Family and Sexual Violence Training Programs enable frontline NCIS special victims investigators and Navy trial counsel to receive advanced courses on the investigation and prosecution of adult sexual assault cases, including spousal rape, domestic violence, and child abuse. This training is held at the Federal Law Enforcement Training Center in Georgia.

Judge advocates also participated in a multidisciplinary Sexual Assault Investigation and Prosecution Course. Mobile training teams comprised of Navy TCAP, U.S. Marine Corps TCAP, NCIS instructors, Army Criminal Investigation Division, and other external instructors presented the course to assist sexual assault investigators and prosecutors. Topics included working with the victim from the initial interview through direct and cross-examination, case corroboration, the undetected rapist, and un-indicted co-conspirators. Specialized SAPR training will continue to enable judge advocates to better advise COs, alleged offenders, victims, and witnesses on SAPR-related issues.

3.6 CONCLUSION

Navy ensures judge advocates provide timely and competent advice to COs, alleged offenders, victims, and witnesses on SAPR-related issues; as well as conduct fair trials and other disciplinary and administrative proceedings with due process of law for all alleged offenders of sexual assault. Partnerships between judge advocates and NCIS facilitate efficient processes and synergies for sexual assault accountability. Navy will continue to hold offenders appropriately accountable.

Investigation and accountability capabilities are critical to responding to sexual assault. Thorough investigations and trials are also important to victim assistance, which will be discussed in the next section. Navy utilizes information derived from investigations and military justice proceedings to better educate victims about the military justice process. When victims are informed of the judicial process they are more likely to stay involved, often resulting in cases being tried, which is a major factor in the ability to hold offenders appropriately accountable.

Line of Effort 4: Victim's Advocacy and Assistance

4.1 INTRODUCTION

Navy strives to care for victims and strengthen their resilience following a sexual assault by providing high-quality response services and a safe environment. Victim support for

Navy active duty and reserve members relies on a broad coordinated network of support personnel: trained and certified SARCs, SAPR VAs, Deployed Resiliency Counselors (DRCs), chaplains, as well as medical and legal services providers. These victim support personnel are responsible for advocacy coordination, medical services, legal support and counseling for the victim. However, none of these services can occur without the victim first making a report. Victims have the option to make a Restricted Report, which gives them access to medical, counseling, and legal services if they prefer; or victims can make an Unrestricted Report, which alerts the command and initiates an NCIS investigation, in addition to medical help. Navy must instill confidence and trust to motivate victims to report, while striving to continually improve the level of victim support services available.

4.2 POPULATIONS AFFECTED

Personnel in a position to make first contact with a victim are critical to Navy's victim assistance efforts. Navy is working to ensure victim support personnel are accessible to assist victims, which includes availability for Reservists.

Sexual Assault Response Coordinators and SAPR Victim Advocates

SARCs are critical to providing victim assistance, as they integrate and coordinate victim resources. SAPR VAs are the primary means of ongoing support to the victim and the primary liaison between the victim and command leadership. All Navy SARCs and SAPR VAs are military personnel or DoD civilian employees, certified through the Defense Sexual Assault Advocate Certification Program prior to providing direct services to sexual assault victims.

In FY13, Navy executed the requirement of having at least one SARC and at least one full-time SAPR VA assigned to each brigade or equivalent unit level of the Armed Forces. For Navy, this requirement equates to a minimum of 64 SARC and 64 SAPR VAs. Due to the uniqueness of force distribution around the globe, Navy created additional billets to support the demand, ensuring easily accessible and certified personnel for victims. Nine of the SARC billets were established as regional positions to streamline communication and ensure better coordination and consistency of services between Commander, Naval Installations Command, regional leadership, and SARCs in the field.

In addition to full-time SAPR VAs, Navy has unit members who volunteer to take collateral duties as Unit SAPR VAs. Unit SAPR VAs also complete the same required training and certification. Over the last three years, Navy added over 2,000 Unit SAPR VAs, increasing the number from 3,352 in FY11 to 5,472 in FY14.

Deployed Resiliency Counselors

In July 2013, the Navy established DRC positions aboard all aircraft carriers and large-deck amphibious assault ships. The DRC is a civilian licensed counselor who supports

Sailors in deployed environments and serves as a liaison to shore-based SARCs. DRCs provide Sailors with critical support services during deployment by working cooperatively with military and civilian medical, social service, law enforcement, chaplains, and legal personnel on behalf of sexual assault victims. The DRC provides short-term individual therapy and educational training on Sailor resiliency topics, such as the prevention of sexual assault, suicide prevention, and substance abuse. The DRC ensures immediate victim response, needs assessment, referrals, and other coordination in response to allegations of sexual assault. They also conduct sexual assault awareness and prevention training, and oversee shipboard training and certification for Unit SAPR VAs. All DRCs are certified by the Defense Sexual Assault Advocate Certification Program.

Healthcare Providers

The victim-centered support for sexual assault victims requires addressing physical and psychological trauma, appropriate coordination of care, and collection of medical-forensic evidence. Civilian medical facilities conduct SAFEs to maintain a 24/7 response capability when such services are not available at the local military treatment facility. Regional program management created and implemented victim care protocols to ensure standardized and coordinated care for victims of sexual assault. BUMED improved communication with the fleet to ensure that all SARCs and SAPR VAs are up-to-date on certification and any new policies, procedures, education and training, and best practices on at least a monthly basis. BUMED promulgates policy to ensure the total array of medical assistance is available to eligible victims of sexual assault.

Chaplain Corps

The Chaplain Corps provides an important resource for supporting the emotional healing and successful reintegration of victims back into their command, regardless of victim religious affiliation or beliefs. Chaplains and Religious Program Specialists are trained in SAPR policies and procedures. Chaplains provide pastoral counseling to victims and a safe place to talk without fear or judgment. Chaplains also will not report what Service members share in confidence, nor can they be compelled to break confidentiality. Chaplains are an important source for directing individuals to other appropriate resources.

4.3 IMPROVEMENTS TO VICTIM SERVICES AND RESOURCES

Navy remains committed to increasing victim confidence to self-report incidents. Continued leadership visibility and support is critical to build victim trust and endurance and ensure confidentiality is maintained in the SAPR process. Improvements to victim resources include the VLC, Safe Helpline, Victim and Witness Assistance Program, expedited transfers, and military and civilian protective orders.

Legal Assistance to Victims and the Victims' Legal Counsel Program

Prior to the implementation of its VLC program in 2012, OJAG trained Navy Legal Assistance attorneys with the focus on delivering direct legal assistance to victims to assist with a wide variety of legal issues associated with sexual assault, to include making sure victims' rights and the court-martial process were understood.

With the implementation of the VLC program, Navy sexual assault victims are provided direct, no-cost access to their own lawyer who can provide legal advice, assistance, and advocacy across a range of victim rights and interests. Confidential communication ensures victims can discuss all aspects of their cases without fear of sacrificing privacy, while promoting an open, honest dialogue. VLC services are optional and available to all eligible sexual assault victims regardless of the type of report they make, or if a report is made at all. VLC services are intended to garner greater victim trust, confidence, awareness, and comfort in the Navy sexual assault response system. The expectation is that VLCs will result in more victims reporting and staying in the military justice process through the conclusion of the case. Victim participation in the process is a major factor in the ability to hold alleged offenders appropriately accountable.

The Navy VLC program dedicated 30 judge advocates and 10 administrative employees, providing support at 23 U.S. and overseas Navy installations. Navy VLC personnel assist victims in understanding and exercising their reporting options, work with victims through the investigative and military justice processes, advocate for the victim's rights and interests, and help victims obtain access to other support resources. At the victim's request, VLCs can accompany victims to law enforcement, trial counsel, and defense counsel interviews. VLCs also assist victims in providing input to convening authorities regarding case disposition, final action on courts-martial findings, and any alleged offender's requests for clemency. VLCs complement and augment the support from SARCS, SAPR VAs, and other resources. In FY14, Navy VLC assisted 719 sexual assault victims and advocated for their interests in 351 military justice proceedings, ranging from pre-trial conferences to Article 32 hearings and special courts-martial.

Navy VLCs conducted extensive outreach among fleet personnel, leadership, and other victim support providers to promote awareness of VLC services and availability. These briefs addressed both the structure and nature of the VLC mission, highlighting that victims could engage a judge advocate to advance and defend their interests. As of September 2014, Navy VLC had provided 830 Outreach Briefs to over 25,000 personnel.

Safe Helpline

In April 2011, DoD launched Safe Helpline as a crisis support service for members of the DoD community who are victims of sexual assault. Navy transitioned to use the Safe Helpline as the primary crisis intervention tool across the Navy. The DoD Safe Helpline responds to Navy requests for information or support, with 100% follow up by

their respective SARC or SAPR VA, if requested.

The Safe Helpline aims to increase victim confidence in the SAPR program through consistent responses by trained advocates who connect the victim to SARCs or other first responders at their local installation, anywhere in the world. The DoD Safe Helpline is heavily marketed via printed material and social media sites. A Safe Helpline smart device application can provide individuals direct contact information to first responders (SARC, military chaplain, JAG, medical personnel, or civilian sexual assault service provider) at their location. Navy regularly conducts audits of this contact information to ensure its accuracy and accessibility.

Prohibited Retaliation against Victims

Navy prohibits retaliation against any person who reports a criminal offense, brings forward a complaint, or cooperates in the investigation process. If the alleged perpetrator is the victim's CO or otherwise in the victim's chain of command, sexual assault victims have the opportunity to go outside the chain of command to report the offense to NCIS, other COs, DoD Safe Helpline, or an Inspector General. If a Service member experiences any retaliatory action for making a report of sexual assault, he or she has a number of options to report the retaliation for investigation and appropriate action. To specifically ensure there are no retaliatory separations from the Navy, a Flag Officer reviews the records of any victim who is being considered for involuntary separation within one year of a final adjudication of an Unrestricted Report.

DoD collects data on victim retaliation using three sources: DEOCS, WGRS, and Survivor Experience Survey. Combining these three data sources provides a more robust understanding of Sailor perception and personal experiences. Navy will continue to use the three data sources to assess policies and initiatives.

Navy SAPR strategy continues to focus on real and perceived barriers to reporting. DEOCS helps Navy assess progress in this area through command climate surveys. There is a decreasing trend in the percent of respondents who perceive barriers to reporting sexual assault. By the end of FY13, 50% of respondents perceived three or more barriers to reporting sexual assault. By the end of FY14, the respondents that perceived three or more barriers to reporting had decreased to 35%.

The most frequently perceived barrier to reporting sexual assault was "loss of privacy/confidentiality" followed by "fear of social retaliation for making the report." Navy continues its commitment to address Sailors' confidentiality concerns and foster an environment intolerant of retaliation.

Expedited Transfers

The Navy offers victims who make an Unrestricted Report of sexual assault the option to request an expedited transfer to another command or duty station. Within 72 hours of receiving a request for an expedited transfer, the CO must decide to approve or refer

to higher authority. If the CO approves the transfer, he or she forwards the request and recommendation to Naval Personnel Command for processing and record filing. In the case of expedited transfer disapproval, the CO must immediately forward the reason in writing to the first Flag Officer, or Senior Executive Service (SES) equivalent, in the requesting Sailor's chain of command. The Flag Officer or SES must decide to approve or disapprove the request within 72 hours of receiving the command-level recommendation, then forward to Naval Personnel Command to process and file.

Selected Reservists who are victims of sexual assault may request expedited transfers, reassignment to a different unit, or a different schedule than the alleged offender. This helps to relieve undue burdens potentially placed on the Service member and their family by a transfer.

Military and Civilian Protective Orders

Other protection measures available to victims include the issuance of a military or civilian protective order against the accused, prohibiting further contact with the victim.

Victim and Witness Assistance Program

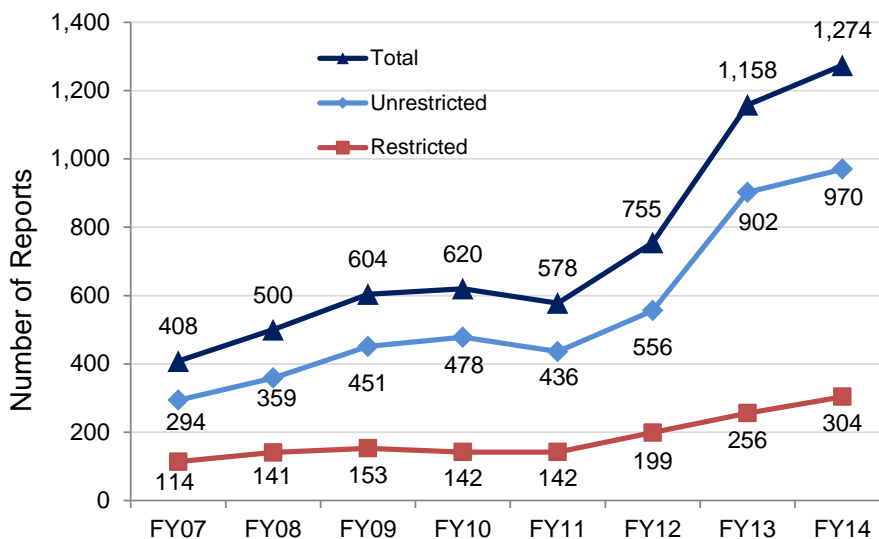
The Victim and Witness Assistance Program ensures victims and witnesses of crime are afforded their rights throughout the criminal justice process, from investigator's initial contact through any period of confinement adjudged. Navy policy requires all commands to appoint Victim Witness Liaison Officers to oversee the Victim and Witness Assistance Program in their areas of responsibility. The Liaison Officer works with the Regional Legal Service Office to provide additional support.

4.4 VICTIM SATISFACTION AND CONFIDENCE IN THE SYSTEM

Reporting

Navy had a 53% increase in sexual assault reporting in FY13, shown in Figure 7. In FY14, the year-to-year rise slowed to 10%. Navy instituted a number of measures to improve Service member confidence and/or victim participation in the investigative and military justice process. Several factors have contributed to the increase in reporting, including better understanding of what defines a sexual assault; awareness of the multiple avenues to report; trust in the command to take all reports seriously; and confidence that the command will support the victim throughout the process.

Figure 7: Reports of Sexual Assault over Time



Fleet Commander and Fleet Master Chief visits to individual commands, fleet workshops, and other fleet sponsored events routinely and consistently address reporting. The key message to Sailors is that leadership wants and encourages Sailors to report sexual assaults and related sexual harassment behavior.

Sailors can convert Restricted Reports to Unrestricted Reports. In FY14, Navy's rate of conversion from restricted to unrestricted was 24%; the FY13 conversion rate was 16%; the FY12 conversion rate was 19%. Navy will continue to build trust in the SAPR program, and encourage more victims to report.

4.5 TRAINING ENHANCEMENTS

Sexual Assault Response Coordinators Training

Prior to providing direct services to victims, Navy requires SARCs to receive 80 hours of National Advocate Credentialing Program approved training, with 40 hours in-person and 40 hours online. SARC training covers how to supervise staff, case management, trainer skill building, Sexual Assault Case Management Group facilitation, SAPR Command Personnel cross training (SAPR point of contact, SAPR Data Collection Coordinator, SAPR Command Liaison), and other related topics.

Every two years, SARCs are required to recertify with Defense Sexual Assault Advocate Certification Program by completing a minimum of 32 hours of approved continuing education.

Commander, Naval Installations Command Headquarters SAPR staff also increase SARC's skills as the local subject matter experts for shore-based and afloat commands. SARCs attended annual training and multiple webinars that provided information and resources for outreach and prevention.

SAPR Victim Advocate / Unit SAPR Victim Advocate Training

SAPR VA training curriculum emphasizes the importance of treating victims with dignity and respect. Prospective SAPR VAs learn the importance of demonstrating compassion and care for victim welfare and how crucial this interaction is to instill victim confidence in the SAPR program. A portion of the training is designed to familiarize SAPR VAs with local civilian and military resources that are available for victim care and treatment. Overseas, the SAPR VAs tour rape crisis centers in their area to better understand available services and capabilities, as this may be a valuable referral and resource for victims. SAPR VAs also visit the local U.S. Naval Hospital or similar medical facility and receive a briefing by a sexual assault nurse examiner regarding the intricacies of the process to provide support to a victim while undergoing a SAFE. These educational methods assist SAPR VAs in further understanding the resources available to them and their unique capabilities. Periodic trainings and communications with SAPR VAs also serve as continuing education engagements to provide program changes that further expand the range of services offered to victims.

Per DoD, Unit SAPR VAs receive 40 initial hours of National Advocate Credentialing Program approved training. Training topics cover dynamic effects of sexual assault, sexual assault in the military, prevention strategies, ethics, trauma, informed care, cultural competency, confidentiality policy, SARC and all SAPR VA roles and responsibilities, crisis intervention, self-care, the military and civilian judicial process, the medical process, resources and referrals, and victims' rights.

BUMED Training

Medical personnel receive first responder training at command orientation with annual updates to meet requirements. BUMED's SAFE training program was successfully transitioned to the Navy Medicine Professional Development Center. Navy Medicine Prospective COs and XOs received briefings on the program and their role in response to reported sexual assaults to ensure appropriate and timely medical support for victims. Discussions included medical care and support, forensic evidence collection, reporting options, and military treatment facility requirement for a 24/7 response capability.

4.6. PROCESSES/PROCEDURAL UPGRADES AND EFFICIENCIES

Case Management

SARCs collaborative efforts with local military and civilian stakeholders resulted in streamlined protocols in managing cases and increased compliance with Sexual Assault Case Management Group participation. SARCs routinely collaborate with local military and civilian stakeholders regarding meetings and responder-specific training to ensure proper protocols are in place and all roles are clearly understood and performed. Additionally, SARCs work with installation and community responders to increase policy compliance and ensure victim privacy for restricted reporting, SAFE kit documentation, chain of custody, and storage.

Shared Military SAPR Resources

Due to dispersed geographic locations, Navy personnel have the option to receive U.S. Army, U.S. Air Force, or other Joint SAPR VA assistance. SAPR VAs from other Services who take a sexual assault report involving a Navy Sailor provide a personal hand-off to the Navy SARC and SAPR VA in order to ensure that any Service-specific reporting and investigation requirements are conducted.

Navy and other Services transitioned to the Defense Sexual Assault Incident Database (DSAID) to improve individual case tracking and reporting capabilities. Another method of tracking services is through participation from the Office of the Chief of Naval Operations cross-functional team, which provides a platform to discuss system barriers that may impact victim services. Recommendations to mitigate identified barriers are discussed and solutions implemented.

4.7 CONCLUSION

Navy offers extensive care and resources to help and support sexual assault victims. Medical services assist victims in recovering from physical trauma. Counselors and chaplains contribute to resolving emotional and internal pain. Increasingly positive command climates and environments allow for victims to return to work without fear of retaliation for reporting. Credentialed SARCs work to manage SAPR VAs, DRCs, and investigators and legal personnel, all designed to advocate for and assist victims. Navy will continue to increase the capability of response personnel and programs to address victims' needs. Navy uses assessments, described in the next section, to continually evaluate and improve the quality of services provided.

Line of Effort 5: Assessment

5.1 INTRODUCTION

Assessment is paramount to ensure that SAPR programs and policies achieve the desired outcome of a command climate where sexual assault and associated behaviors are not tolerated. Navy strives for responsive, meaningful, and accurate systems of measurement and evaluation in every aspect of the SAPR program. Navy draws on authoritative data from sexual assault reports, survey instruments, focus group discussions, and other measures to effectively evaluate the SAPR program and inform strategy and policies.

Navy uses multiple tools, including DSAID, to assess progress. DSAID information allows trend analysis, helping tailor effective and efficient initiatives. Navy also collaborates with DoD SAPRO and the other Services to provide alignment and standardization on multiple department-wide survey efforts. Navy executes specific surveys and polls, providing valuable feedback for efforts to eliminate sexual assault.

5.2 EXECUTIVE-LEVEL ASSESSMENT AND OVERSIGHT

Navy senior leadership plays a critical role by providing oversight, guidance, and review of SAPR programs. The Navy SAPR Director meets one-on-one monthly with the CNO to discuss program updates and initiatives. The Navy SAPR Director also provides a monthly update to a panel of three-star admirals. All Navy four-star admirals, including the CNO, meet quarterly via video teleconference. The Navy SAPR cross-functional team meets monthly to synchronize stakeholders across the Navy, discuss progress, and share best practices. SAPR is part of the agenda at the Joint Chiefs of Staff and Service Operations Deputies Tank briefings as well as the U.S. Fleet Forces Task Force and U.S. Pacific Fleet Executive Steering Committee meetings. Navy senior leadership have regular, direct, face-to-face engagements with the fleet during fleet visits, where senior leaders hear directly from Sailors and share information about Navy SAPR initiatives. Regional SAPR Officers provide a means to disseminate information and best practices to the regional and local levels.

Direction from the Secretary of the Navy requires the Naval Inspector General to inspect, investigate, assess, or inquire into important matters, including SAPR-related programs in all command inspections and area visits. During command inspections and area visits, SAPR programs were found to be well-managed and in compliance with program requirements. These inspections offer additional oversight to assess compliance and quality of programs, and ensure the quality of SAPR efforts executed across the fleet.

5.3 DEFENSE SEXUAL ASSAULT INCIDENT DATABASE

Data collection creates the foundational bases for Navy assessments. Properly capturing sexual assault reports is critical to a meaningful and accurate measurement of the success of this program. In July 2012, Navy initiated its transition from the case management system to DSAID as the data collection tool for all SAPR case data. Key SAPR program stakeholders simultaneously managed the data collection and system capability. DSAID provides standardized data entry protocols for SARCs and legal officers, and data transport procedures for NCIS.

Metrics and details pertaining to reported sexual assaults (i.e., demographics, type of incident, case specifics) are continually collected, tracked and analyzed across the fleet to inform SAPR policy and procedures within Navy. The standardization facilitates case tracking and trend analysis. DSAID data helped inform Navy policies on restricted alcohol sales on base, implementation of roving barracks patrols, and increased training at all Navy accession points.

5.4 SURVEYS

Workplace Gender Relations Survey

Navy's fundamental means to measure the success of its SAPR program is through

periodic survey of Sailors. The biennial DoD WGRS is the primary tool to estimate the prevalence of unwanted sexual contacts across the Navy. It provides insight and feedback on, among other things, unwanted sexual contact and unwanted sexual behavior. The WGRS utilizes a series of standard questions to measure the incidence of sexual assault over the previous 12-month period. Survey results are compared to actual reports of sexual assault (restricted and unrestricted) to assess Service member confidence in the system and willingness to report. Results from this survey highlight the gap that exists between incidents and reports of sexual assault. Understanding that the decision to report a sexual assault is personal for a victim, Navy continues to focus on eliminating all perceived barriers to reporting. These perceived barriers are assessed in more detail and at higher frequency through the DEOCS instrument.

DEOMI Organizational Climate Survey (DEOCS)

The DEOCS is a confidential, command-requested organizational development survey used to assess shared perceptions about equal opportunity, SAPR, and organizational effectiveness. Navy uses the DEOCS as a management tool to assess aspects of command organization and effectiveness. Commanders are required to conduct a DEOCS within 90 days of assuming positions of command and annually thereafter to assess command climate, effectiveness of its SAPR policies, and perceptions of Sailors within a unit. The unit CO briefs the immediate superior in command on the results of the survey, along with a plan of action to address any opportunities for improvement.

From 2011 to 2013, the DoD surveyed commands using DEOCS 3.3.5 which provided trending information on: (1) perceptions of leadership support for SAPR, (2) perceptions of barriers to reporting sexual assault, (3) bystander intervention climate, and (4) knowledge of sexual assault reporting options. Since 1 January 2014, Navy uses DEOMI's latest version, DEOCS 4.0, which includes new and revised SAPR climate questions containing seven measures: (1) perceptions of safety, (2) chain of command support, (3) publicity of SAPR information, (4) unit reporting climate, (5) perceived barriers to reporting sexual assault, (6) unit prevention climate with bystander intervention, and (7) restricted reporting knowledge. The two versions of the survey cannot be trended because new items were added, wording of similar items changed, and the response scale changed. Although trends are interrupted from 2011 to the present, general understanding of the data shows continued improvement in command climate.

These surveys provide leadership with direct feedback from deckplate Sailors. Local commanders can assess their command climate in comparison with Navy and DoD averages, and take appropriate action as necessary to address specific areas of concern. Examples include local training on proper reporting channels, intolerance of retaliation, and effective bystander intervention methods. Navy uses this information continuously to assess the effectiveness of policy and training initiatives and then refine activities or training. Examples of action taken as a result of DEOCS feedback include revision to the sexual assault training module at Command Leadership School, creation of Navy-wide bystander intervention skills training, and additional training and

processes to address perceived barriers to reporting.

Survivor Experience Survey

Launched on 4 June 2014, the Survivor Experience Survey is a survey administered specifically to military victims of sexual assault who filed a report of sexual assault. Initial results from the survey are based on the 22 Navy responses received so far. As survivor survey responses are collected, they will provide feedback on SAPR processes from the victim's perspective in areas concerning support services, commands actions, and peer responses. This information will play a vital role in assessing Navy's progress, and help shape future policies and programs.

A School Exit Surveys

Sailors learn the fundamentals of their technical field at Navy A Schools. Naval Education and Training Command and DON SAPRO continue to develop and expand their collaborative efforts to conduct sexual assault surveys of all Navy A School graduates at Navy's five largest A school concentration sites: Great Lakes, Illinois; Pensacola, Florida; Meridian, Mississippi; Groton, Connecticut; and San Antonio, Texas. This survey underscores Navy's commitment to seeking insights and assessing progress in combatting sexual assault.

Over 1,800 women and 5,600 men completed the voluntary anonymous surveys since initial fielding in August 2013. Indications continue to suggest that Sailors in A School training environments have a low incidence rate of sexual assault compared to other Navy environments. Results directly reflect the efforts made in training environments and the engagement of local commanders.

Navy Quick Polls

Navy Personnel Research, Studies, and Technology conducts SAPR Quick Polls to query Sailors on current DoD and Navy SAPR-related issues. Navy leadership encourages maximum participation in these targeted polls. The 2013 SAPR Quick Poll, conducted from April to May 2013, returned 5,118 responses. The Quick Poll measured the effectiveness of SAPR training, different reporting options, perceptions of leadership's role in tolerating or impeding reporting, and barriers to reporting, to inform policy and training initiatives.

SAPR Quick Poll findings indicate that SAPR-L/F training was very well accepted and over 80% of those surveyed said it increased awareness of the problem and appropriate preventative measures. The SAPR Quick Poll found that 94% of enlisted members and over 90% of officers knew who the SAPR point of contact and SAPR VAs were at their command; over 85% responded that sexual assault training is taken seriously at their command; 90% indicated that they knew what to do if they or a friend were sexually assaulted; 80% indicated that they would likely report the sexual assault to Navy authorities if assaulted; over 90% of enlisted and 95% of officers report knowing what

actions are considered sexual assault; and over 91% correctly identified the difference between Restricted and Unrestricted Reporting.

5.5 FOCUS GROUPS

The Defense Manpower Data Center conducted focus groups on behalf of each of the Services in 2014. One training site (Pensacola, Florida) and one operational site (Norfolk, Virginia) were chosen to host the event for each Service. Focus group leaders divided groups by gender and rank to facilitate an honest and open discourse on Sailors' perceptions of SAPR initiatives in a non-attribution environment. Direct engagements like the focus groups influence decisions to modify delivery of training. Changes such as the desire for more peer-to-peer training have been made, as captured in the new Bystander Intervention to the Fleet training vehicle.

5.6 ASSESSMENT EFFORTS AT LOCAL COMMANDS

Several local and regional Navy commands implemented independent assessment tools, such as local databases derived from operations and situation report data and informal surveys to assess local trends. These demonstrate proactive methods to incorporate responsive, meaningful, and accurate systems of evaluation into all aspects of SAPR. Additionally, Fleet and Family Service Centers give clients anonymous quarterly and annual surveys to complete and provide feedback on SAPR services they receive. All regions utilize monthly Sexual Assault Case Management Group to measure SAPR program effectiveness. Case Management Groups provide an avenue to assess the quality of care and support provided to sexual assault victims.

BUMED Assessment

BUMED conducts site visits to support SAPR and SAFE program implementation, ensures command coordinators are fully aware of the resources available to them, and confirms that commands are in compliance with regulations.

Other Assessment Efforts

Navy seeks constant feedback on the effectiveness of SAPR programs. Navy measures system responsiveness through feedback from SARCs, SAPR VAs, VLCs and victims themselves. Together, these metrics are reviewed quarterly by CNO and his 4-star Fleet Commanders to ensure alignment to the SAPR program.

5.7 TWELVE DOD-DESIGNATED REPORT METRICS

Metric 1: Past year of Estimated Prevalence of Unwanted Sexual Contact

The prevalence metric indicates the estimated pervasiveness of unwanted sexual contact and provides a direct indicator of the scope of the sexual assault problem. The data is self-reported and compiled through a biennial survey. The 2014 estimated

prevalence results using the comparable 2012 WGRA methodology indicate that 5.1% of women and 1.1% of men experienced unwanted sexual contact. The 2012 results showed that 7.2% of women and 2.7% of men experienced unwanted sexual contact. This trend is a step in the right direction. Navy will continue with the efforts made in prevention, setting the conditions for a command climate that does not condone, tolerate, or ignore sexual assault. The goal is a consistent and measurable decrease in prevalence of sexual assault, leading to the ultimate elimination of this threat to Sailors.

Metric 2: Estimated Prevalence vs. Reporting

The reporting metric compares estimated prevalence, as described in metric 1 above, with the number of reported unwanted sexual contact by Service member victims. The difference between the two metrics is the reporting gap, an important measure of victims' trust in the sexual assault response system. The number of reported Service member victims rose since 2011, especially from 2012 to 2013 where it increased 52%. This rise was expected due to efforts to raise awareness of sexual assault, educate Sailors on the definition of sexual assault, and provide support for those who report sexual assault. The number of reported victims from 2013 to 2014 increased 13%. 2014 estimated prevalence results using the comparable 2012 WGRA methodology indicate unwanted sexual contact decreased to 5.1% for women and 1.1% for men from 2012 results of 7.2% for women and 2.7% for men. The goal for this metric is a reduction in prevalence of sexual assault, indicating success in prevention. Navy also aims for the number of Service member victims reporting sexual assault to equal the actual prevalence of sexual assault, indicating success in response. With the increase in reports and decrease in prevalence, Navy is making progress in closing the reporting gap.

Metric 3: Bystander Intervention Experience in Past 12 Months

The bystander intervention metric uses command climate survey responses to describe the self-reported percentage of respondents who, in the past 12 months, observed a situation they believed was, or could have led to, a sexual assault. If observed, a subsequent question asks participants to select from a number of possible responses that most closely resembles their action resulting from the observation. The overall percent of participants observing sexual assault situations was around 5%. Results further indicate that female and junior Sailors consistently observe sexual assault situations more frequently than male and more senior Sailors. This consistent disparity in observation indicates that more work remains to standardize perceptions of appropriate behavior and reduce exposure to risky situations.

Female and more senior Sailors are more likely to act when the situations are observed, and it is encouraging that about 85% overall of those observing a sexual assault situation took action. Because junior Sailors are less likely to act than more senior Sailors, a continued focus on empowering them to take action is warranted. To that end, Navy is implementing additional bystander intervention skills training in 2015. The goal for this metric is a reduction in observed sexual assault situations and increased

intervention by those who observe those situations. Awareness and education efforts are empowering many Sailors to intervene.

Metric 4: Command Climate Index – Addressing Continuum of Harm

The command climate metric assesses the extent to which the chain of command promotes a climate based on respect and trust, refrains from sexist comments and behaviors, and actively discourages sexist comments and behaviors. The response results from the command climate survey are positive and consistent, averaging between 'moderate' to 'great' the extent to which commands support positive climates.

Sailors believe their commands are intolerant of a climate which may promote actions that may lead to sexual assault. There is a disparity in response between genders and rank. Females and junior Sailors have a lower perception of command climate in regard to respect, trust, and sexist behaviors. While the overall responses are still positive, the disparity indicates a continued need to address this issue. The goal for this metric is a positive climate with consistent responses across gender and pay grade. Work remains to create a better climate for junior Sailors and females.

Metric 5: Investigation Length

The investigation length metric indicates the time it takes to complete sexual assault investigations, calculated from initial notification until the case is presented to command for appropriate action. It is important to note that this is not a performance metric related to the time it takes to conduct an investigation. Cases must be investigated thoroughly and effectively, ensuring victims' rights and the due process rights of the accused are protected. Due to the unique nature and complexities of individual cases, a qualitative assessment of the work is more relevant. Investigation length trends show the efficacy of sexual assault investigation policy, resourcing decisions, and whether there is a need for modification to process or resourcing. The average investigation length in FY14 was 126 days, which is a slight increase from 122 days in FY13. In terms of caseloads, completed investigations rose from 621 in FY12 to 839 in FY13. In FY14, completed investigations increased to 1,019.

Comparing FY14 to FY13, Unrestricted Reports increased by 68, an 8% increase. Investigation length rose slightly by 4 days, a 3% increase; and completed investigations increased by 180, a 21% increase. This shows that even though investigation time remained about the same, investigative capacity has not lost ground despite a rise in reported cases. Navy will continue to increase investigative resources, ensuring investigation pace is maintained while reducing investigation time prudently. The goal for this effort is thorough, effective, and responsive investigations. The time for investigation completion is a measure of how well the investigation effort is resourced. Despite the rise in caseloads, investigations are being completed thoroughly and effectively due to more effective training and additional resources.

Metric 6: All Certified SARC and SAPR VA Personnel Currently Able to Provide Victim Support

The victim support metric shows the resources available to support sexual assault victims. Navy is above the mandated number of 64 SARCs, and on track to exceed the required number of 64 full-time SAPR VAs. This means the personnel are in place to support victims who come forward. Understanding the value of SARCs and SAPR VAs, Navy increased the number of positions to 82 and 67, respectively, in October 2013 to better support the geographically-dispersed fleet. Additionally, Navy has over 5,000 Unit SAPR VAs serving their shipmates in a volunteer, collateral duty capacity. Navy will also have 18 DRCs assigned to large ships by mid-FY15. In addition to helping Sailors across the spectrum of resiliency, DRCs can provide specific help to prevent and respond to sexual assault. The goal for this metric is to meet the mandated requirements, exceeding the requirement as necessary to best support the unique needs of Sailors deployed on ships and around the globe.

Metric 7: Victim Experience – SARC/VA Support; Special Victim Support Counsel

The victim services metric demonstrates the level of satisfaction of sexual assault victims with the services provided by SARCs, VLCs, and Special Victim Capability. Preliminary Survivor Experience Survey results for Navy show that victims were satisfied with their SARCs and victim counsel. This survey provides invaluable insights from the perspective of the victim which can be used to identify opportunities to further improve services to victims. The goal for this metric is complete victim satisfaction of support provided from SARCs and victim counsel. The support team available to victims is effective, and additional data will better refine this assessment.

Metric 8: Victims Declining to Participate in the Military Justice Process

The victim participation metric shows the percentage of alleged offenders whose cases were provided to the commander for action, but could not be prosecuted due to victims declining to participate in the military justice system. The trend was fairly stable around 16% for the last several years. Navy will closely monitor this trend for improvement in consideration of the VLC program reaching full operational capability in July 2014. The goal for this metric is to maximize victim participation in the military justice system to have appropriate accountability for all offenders. Recent initiatives, such as the VLC and pending changes to Article 32 testifying requirements are expected to improve progress.

Metric 9: Victim Retaliation – Victim Perspective; Command Climate Perspective

The victim retaliation metric measures both the Sailors' perceptions of victim retaliation and the prevalence of social and professional retaliation. This metric is derived from three sources: the DEOCS, WGRS, and Survivor Experience Survey. Based on command climate survey data, Sailors have a strongly positive perception that retaliation is less likely to occur at their commands, with males and senior ranks having

a more favorable perception than females and junior Sailors. Average scores across all demographic groups fell between 'moderately' to 'very likely' in response to how well their chain of command prevents a hostile environment for victims making reports of sexual assault.

Based on 22 initial Survivor Experience Survey results, the majority of Navy victims reported experiencing some form of retaliation. The survey results indicate a need to further understand and address this issue. The goal for this metric is eliminating all forms of retaliation to allow survivors to return to work, and also encourage other victims to come forward without the fear of retaliation for reporting. Although commanders are establishing command climates intolerant of retaliation, the limited data from the Survivor Experience Survey do not correlate to this finding.

Metric 10: Victim Experience – Victim Kept Informed Regularly in the Military Justice Process

This victim communication metric shows the overall victim satisfaction with being kept informed of their case progression throughout the military justice process. Based on 22 initial Survivor Experience Survey results as of September 2014, most victims who responded reported being provided accurate up-to-date information on their case status. The standard for being adequately informed is defined by each individual victim, and highlights the need for tailored care and communications. With the VLC program in full operation as part of the victim advocacy team, Navy will continue to monitor this metric. The goal for this metric is victim satisfaction of being informed of case progression. Victims are generally satisfied with the information they receive, which is attributable to the use of VLC. Additional survey responses will better refine this assessment.

Metric 11: Service Members' Perceptions of Leadership Support for SAPR

The Service member's perception metric shows Sailors' perceptions of leadership support for the SAPR program, victim reporting, and victim support. Based on the data gathered from command climate surveys, Sailors have a strongly positive perception of leadership support, with males and senior ranks having a more favorable impression than females and junior enlisted. Average scores across all demographic groups fell between 'moderately' to 'very likely' in response to how well their chain of command would take appropriate actions after receiving a report of sexual assault. Leadership support up and down the chain of command is critical to encourage reporting and setting the right tone for acceptable behavior and accountability in the command. The goal is command leadership that supports sexual assault prevention and response. These results show the efficacy of efforts to educate, train, and hold individuals appropriately accountable for sexual assault prevention and response at all levels of command.

Metric 12: Reports of Sexual Assault Over Time

This reports metric shows the year-to-year trend of Navy Restricted and Unrestricted

Reports. Based on the data, sexual assault reports continue to increase with total reports in FY14 increasing 10% over FY13. FY13 finished 53% higher than FY12, and FY12 finished 31% higher than FY11. With the efforts to educate Sailors about sexual assault, and the improvement in response to reported assaults, it was expected that sexual assault reporting would increase.

Restricted Reports provide a valuable option to maximize sexual assault reporting for victims who may not otherwise come forward. Restricted Reports constitute about 25% of all reports, and Navy continues efforts to encourage victims to come forward in an unrestricted manner. Maximum reporting is desired to enable care for victims and to hold offenders appropriately accountable. The objective for this metric is tied to the prevalence of sexual assault, addressed in metrics 1 and 2.

5.8 CONCLUSION

Assessment is a continuous process of collecting and analyzing data to measure and report program effectiveness. Evaluating the SAPR program allows Navy to identify areas of success and areas of needed improvement. Navy uses measurement tools to determine the impact of SAPR programs and eventual success of eliminating sexual assault. The results from assessments drive further adjustments to prevention and response efforts. SAPR assessments support Navy's ability to continually improve overall command culture, and set conditions to deter and prevent destructive behaviors.

Acronym List

A School	Advanced Skill Training School
ASAP	Adult Sexual Assault Program
BUMED	Bureau of Medicine and Surgery (US Navy)
CNO	Chief of Naval Operations
CO	Commanding Officer
CSADD	Coalition of Sailors Against Destructive Decisions
DEOCS	DEOMI Organizational Climate Survey
DEOMI	Defense Equal Opportunity Management Institute
DoD	Department of Defense
DON	Department of the Navy
DRC	Deployed Resiliency Counselor
DSAID	Defense Sexual Assault Incident Database
FY	Fiscal Year
JAG	Judge Advocate General
LOE	Line of Effort
MA	Master-at-Arms
NCIS	Naval Criminal Investigative Service
OJAG	Office of the Judge Advocate General
ROTC	Reserve Officer Training Corps
SAAM	Sexual Assault Awareness Month
SAFE	Sexual Assault Forensic Exam
SAPR	Sexual Assault Prevention and Response
SAPR-F	Sexual Assault Prevention and Response-Fleet
SAPR-L	Sexual Assault Prevention and Response-Leadership
SAPRO	Sexual Assault Prevention and Response Office
SAPR VA	Sexual Assault Prevention and Response Victim Advocate
SARC	Sexual Assault Response Coordinator
SES	Senior Executive Service
TCAP	Trial Counsel Assistance Program
UCMJ	Uniformed Code of Military Justice
USNA	United States Naval Academy
VLC	Victims' Legal Counsel
WGRS	Workplace and Gender Relations Survey
XO	Executive Officer

Department of Defense (DoD) Statistical Report Data Call: Reported Sexual Assaults in the Military for the Period 1 October 2013 through 30 September 2014

The Defense Sexual Assault Incident Database (DSAID) is the source of the data collected for this report. The statistical data, calculated as of 15 October 2014 and illustrated below, includes sexual assaults incidents reported during the period of 1 October 2013 through 30 September 2014.

1. Analytic Discussion

1.1. Provide an analytic discussion of your Service's Statistical Report. This section should include such information as:

- Notable changes in the data since FY13 (in percentages) and other time periods (at least FY12, FY13, and FY14), as appropriate
- Insight or suspected reasons for noted changes, or lack of change, in data
- Implications the data may have for programmatic planning, oversight, and/or research
- How reports of sexual assault compliment your Service's scientifically conducted surveys during FY13 or FY14 (if any)
- Prevalence vs. reporting (the percentage of Service member incidents captured in reports of sexual assault (Restricted Reports and Unrestricted Reports) (Metric #2)
- Total number of Sexual Assaults (Restricted Reports and Unrestricted Reports) over time (since 2004) (Metric #12)
- Other

Total Number of Sexual Assault Reports

In Fiscal Year 2014 (FY14), reports of sexual assault in the U.S. Navy continued to increase over previous years. For a crime that is universally underreported, Navy views this trend as a positive endorsement of efforts to improve command climate. When a Sailor trusts the command to respond appropriately, he or she is more likely to make a report. The results of the Defense Equal Opportunity Management Institute Organizational Climate Survey (DEOCS) reiterated an increase in trust and confidence through a consistent positive perception of command climate and leadership support of the SAPR program.

Total Reports	
FY07	408
FY08	500
FY09	604
FY10	620
FY11	578
FY12	755
FY13	1,158
FY14	1,274

Navy actively encouraged reporting of sexual assaults through training and education, as indicated by the 10% increase in reports of sexual assault between FY13 and FY14. This follows a 53% increase in reports between FY12 and FY13, and a 31% increase between FY11 and FY12. A three-fold increase in reports of sexual assault between

FY07 (408) and FY14 (1,274) is strong evidence of trust and confidence in the Navy response system, and indicates progress toward closing the gap between actual incidents and reports.

Restricted Reports

Restricted Reports enable a victim to receive support services without command notification or initiating an investigation. In FY14, 401 initial Restricted Reports indicated an increase of 31% over FY13 (305). This follows a 24% increase between FY12 (246) and FY13, and a 41% increase between FY11 (174) and FY12. In FY14, 97 (24%) initial Restricted Reports were converted to Unrestricted Reports, compared to 49 (16%) in FY13, 47 (19%) in FY12, and 32 (18%) in FY11. This increase in conversion rates is another indicator of growing trust in the response system.

Unrestricted Reports

Unrestricted Reporting initiates a law enforcement investigation and provides an opportunity to hold alleged offenders appropriately accountable, in addition to giving victims access to support services. In FY14, there were 970 Unrestricted Reports, an increase of 8% from FY13. In FY13, there were 902 Unrestricted Reports of sexual assault, a 62% increase from the 556 reports in FY12. In FY12, there was a 28% increase in Unrestricted Reports from the 436 reports in FY11.

With the rise in Unrestricted Reports, NCIS initiated and completed more investigations during this timeframe. In FY14, NCIS initiated 867 investigations and completed 1,019, including investigations begun in previous years. In FY13, 801 investigations were initiated and 839 were completed. In FY12, 527 investigations were initiated and 621 were completed. In FY11, 408 investigations were initiated and 436 were completed. Enhanced training, refocused investigative practices, and resources dedicated to sexual assault investigations were effective in keeping pace with the rise in sexual assault investigations.

Prevalence vs. Reporting

Confidential surveys are currently the best tool available to estimate the number of sexual assault incidents in the Navy. The Workplace and Gender Relations Survey of Active Duty Personnel (WGRA) was conducted by the Defense Manpower Data Center (DMDC) through 2012, and the RAND Military Workplace Study (RMWS) was used in 2014, utilizing newly designed assessment criteria and methods. RAND assigned a small number of service members a version of the prior 2012 WGRA questionnaire, and analyzed the comparable results to provide historical trends. The FY14 prevalence estimates in the table were calculated using the WGRA data. Estimates of sexual assault prevalence in the Navy are based on the percentage of surveyed Sailors who had at least one experience of unwanted

Prevalence Estimate	
CY06	10,400
FY10	5,100
FY12	10,600
FY14 (WGRA)	5,600

sexual contact (this includes contact, attempted penetration, and penetration offenses) in the 12 months before responding to the survey, and represent both male and female victims of various offense types.

By extrapolating the survey results to the Navy population, there were estimated to be roughly 5,600 sexual assault incidents in FY14. This represents a decrease over the FY12 estimate. In FY14, 1,135 Service members made restricted or unrestricted reports, representing 20% of the estimated incidents. In FY12, 659 Service members made restricted or unrestricted reports, representing 6% of the estimated incidents that year.

From preliminary estimates of FY14, about half of the 5,600 extrapolated incidents represent male victims and half represent female victims. These estimates indicate roughly 32% of female victims and 8% of male victims made reports in FY14. In FY12, about two-thirds of the 10,600 extrapolated incidents represented male victims and one-third represented female victims. These estimates indicate roughly 17% of female victims and 1.2% of male victims made reports in FY12. This data demonstrates the underreporting of this crime, especially among male victims who comprised the majority of the prevalence estimate, but only a small percentage of the Service member reports received. Navy continues efforts to increase reporting among all victims, recognizing that gender-specific strategies are necessary to encourage male and female victim reporting.

The surveys also break out unwanted sexual contact behaviors by type. Across DoD in FY14, behaviors experienced by female victims were 30% for unwanted sexual touching, 29% for penetration offenses, 31% for attempted offenses, and 10% were not specified. Across DoD in FY14, behaviors experienced by male victims were 49% for unwanted sexual touching, 11.5% for penetration offenses, 11.5% for attempted offenses, and 28% were not specified. FY14 Service specific type of behavior analysis is not yet available. For Navy in FY12, behaviors experienced by female victims were 29% for unwanted sexual touching, 34% for penetration offenses, 24% for attempted offenses, and 13% were not specified. In FY12 behaviors experienced by male victims could not be broken out due to the low number of survey responses.

Navy will continue to use the results of this survey to assess progress in closing the reporting gap, both from the perspective of reducing incidents and increasing reporting. While the ultimate goal is to eradicate sexual assault, Navy wants to ensure maximum reporting of incidents to facilitate victim care and ensure appropriate accountability for offenders.

Notable Changes in Data

Type of Offenses

Unrestricted Reports are categorized as either contact (e.g., abusive sexual contact or aggravated sexual contact) or penetration (e.g., rape or sexual assault) offenses,

depending on the nature of the act. In FY13, 44% of Unrestricted Reports were contact offenses, compared to 35% in FY12. Conversely, 56% of Unrestricted Reports were penetration offenses in FY13, compared to 63% in FY12. FY14 data in this category is still provisional, precluding trending analysis. However, based on the 737 unrestricted reports that have been categorized, 399 are penetration crimes, 309 contact crimes, and 29 are attempts to commit a crime. Navy continues to reconcile FY14 data in this category. The rise in reports of contact offenses reflects the broadened definition of what constitutes sexual assault, efforts to increase trust that commands will hold offenders accountable, eradicate pre-conceived notions about what constitutes sexual assault, and ensure an increased willingness to report all unacceptable behavior.

Report Latency

Latency refers to the delay between the date the incident of sexual assault occurred and the filing of a report. In the case of Unrestricted Reports, a shorter latency provides the best opportunity for a successful investigation. However, recent education and awareness campaigns triggered more victims, who may not have previously had confidence in the response system, to come forward and report. In FY14, reports received less than 31 days from the incident accounted for 57% of Unrestricted Reports, 52% in FY13, and 56% in FY12. Conversely, reports received greater than or equal to 31 days from the date of the incident accounted for 37% of Unrestricted Reports in FY14, 42% in FY13, and 35% in FY12. Unknown latency comprises the remaining reports in each year. Navy continues to educate and encourage Sailors to come forward and receive support services, regardless of when the incident occurred.

Male Victim Reporting

Male victims in the Navy, as in the general population, represent an underreported segment of an underreported crime. Male victims comprised 15% of Unrestricted Reports in FY13 (117) and 11% in FY12 (56). FY14 data in this category is still provisional, precluding trending analysis. However, based on the 799 Unrestricted Reports that have been categorized, 162 are male victims. Navy continues to reconcile FY14 data in this category. Navy continues efforts to encourage reporting among men and women.

Other Trends

Service member on Service member crimes accounted for 67% of Unrestricted Reports in FY13 and 69% in FY12. Additionally, the majority of victims who file Unrestricted Reports continue to be female, 85% in FY13 and 89% in FY12, and junior enlisted between pay grades E-1 and E-4, 67% in FY13 and 78% in FY12. FY14 data in these categories is still provisional, precluding trending analysis.

Explanation and Implications of the Data

It is important to note that an increase in sexual assault reports is the result of various factors and may not necessarily represent increased incidents of sexual assault. Many factors contributed to changes in reporting and demographics, including additional training, education, awareness campaigns, changes to Article 120 of the Uniform Code of Military Justice (UCMJ), and expanded efforts to reduce sexual assaults in the military. Additionally, beginning in January 2013, MCIOs were required to investigate all reports of sexual assault, including contact offenses, regardless of the type of sexual assault offense.

During the last several fiscal years, there was a strong Navy-wide education campaign to educate Sailors and civilians about sexual assault reporting options (restricted and unrestricted), services available to victims of sexual assault, and crime prevention initiatives.

In FY13, the Secretary of Defense directed a SAPR stand-down requiring 100% participation by all active duty, reserve, and civilian employees of DoD. The goal of this training campaign was threefold: convey a top-down message of intolerance of sexual assault in any aspect of DoD; eradicate pre-conceived notions about what constituted a sexual assault; and educate on reporting options and victim services. The impact and effectiveness of this training is one of many factors contributing to the increased reporting of incidents of sexual assault.

Changes to Article 120 of the UCMJ and the new requirement for NCIS to investigate all contact offenses, contributed to the increase in investigations. In June 2012, UCMJ Article 120 broadened the legal definition of sexual contact to include touching any part of the body for sexual gratification. Prior to this change, the definition of sexual contact only included sexual-related areas of the body (e.g., the genitalia, anus, groin, breast, inner thigh, or buttocks). The new definition includes non-sexual areas such as the neck or shoulder. Awareness campaigns on these changes were disseminated Navy-wide. Unrestricted Reports increased 62% between FY12 and FY13, during which the number of contact offenses investigated (i.e., wrongful sexual contact, abusive sexual contact, and aggravated sexual contact) increased 88%. Navy also attributes the increase in high latency Unrestricted Reports from 35% of in FY12 to 42% in FY13 to the awareness and education campaigns.

2. Unrestricted Reporting

2.1. Victim Data Discussion and Analysis. This section should include an overview of such information as:

- Type of offenses
- Demographic trends
- Service referrals
- Experiences in Combat Areas of Interest Military Protective Orders Issued as a Result of an Unrestricted Report (e.g., number issued, number violated)

- Approved expedited transfers and reasons why transfers were not approved
- The number of victims declining to participate in the military justice process (Metric #8)
- Others

Type of Offenses

In FY14, abusive sexual contact was the most frequently reported offense, followed by sexual assault and rape. Aggravated sexual contact, forcible sodomy, aggravated sexual assault, indecent assault, and attempts to commit an offense accounted for the remaining reports. A significant portion of FY14 offense data has not yet been categorized, precluding trend analysis. However, abusive sexual contact, sexual assault, and rape are estimated to remain the most frequent offenses reported. As previously noted the general shift in reporting from penetration offenses to contact offenses began to occur during FY13 and has continued into FY14.

Demographic Trends

Victims were predominantly female Service members between the ages of 20 and 24 and pay grades E-1 to E-4. Nearly all of the Service member victims were active duty and affiliated with the U.S. Navy. The remaining Service member victims were Navy reservists or affiliated with other services. These trends have remained steady from FY11 to present.

Service Referrals

During FY14, DSAID captured over 3,300 resource referrals for Service member victims in both Unrestricted and Restricted Reports. Referrals for SAPR Victim Advocates were the most frequently offered resource, accounting for 28% of total referrals. Other referrals were made for mental health resources, legal services, medical services, chaplain/spiritual support, and DoD Safe Helpline. Additionally, over 200 resource referrals were offered to non-Service member victims. These include referrals to Rape Crisis Centers, SAPR Victim Advocates, mental health resources, legal services, medical services, and chaplain/spiritual support.

Combat Areas of Interest

In FY14, 15 victims made Unrestricted Reports of sexual assault which occurred in a combat location. The general trends for these reports match the overall Navy demographics in regards to offense type reported, time of delayed report, and demographic information of the victims. All of these victims were Service members. As in previous FY reporting, with a relatively small number of Unrestricted Reports in the combat areas of interest, the trends within these reports remained consistent.

Military Protective Orders

In FY14, 232 Military Protective Orders were issued in 970 Unrestricted Report cases, with 1 violation by a subject. FY14 data in this category is still provisional, precluding trending analysis. Navy continues work to reconcile FY14 data in this category. In FY13, 244 Military Protective Orders were issued, with 11 violations by subject.

Expedited Transfers

In FY14, there were 17 unit/duty and 174 installation expedited transfer requests by Service member victims. One of the unit expedited transfer requests was denied on the basis the report of sexual assault was determined not to be credible. In FY13, there were 20 unit/duty and 128 installation expedited transfer requests by Service members. Two unit expedited transfer requests were denied. In one instance, the victim and offender were not collocated, and in the other, the report of sexual assault was determined not to be credible.

Victims Declining to Participate in the Military Justice Process

Subjects could not be prosecuted in 118 (17%) cases where victims declined to participate in the military justice process. This is not, however, reflective of all cases in which the victim declined to participate in the investigative/military justice process. In some cases, command action was pursued, resulting in administrative or disciplinary action against a subject, despite non-participation of the victim. However, these cases are not categorized as a victim declination within DSAID. Navy's Victims' Legal Counsel (VLC) program reached full manning in July 2014 with 29 VLCs. VLCs are geographically dispersed around the globe, and provide advocacy and legal advice to victims, whether or not a victim chooses to make a report. The addition of VLCs to the victim support team is expected to positively impact reporting propensity and victims remaining in the adjudication process through completion.

2.2. Subject Data Discussion and Analysis. This section should include an overview of such information as:

- Demographic trends
- Disposition trends
- Experiences in Combat Areas of Interest
- Command action for Military Subjects under DoD Legal Authority (to be captured using the most serious crime charged) (Non-Metric #1)
- Sexual Assault Court-Martial Outcomes (to be captured using the most serious crime charged) (Non-Metric #2)
- Other

Demographic Trends

In FY14, subjects were predominantly male, active duty, U.S. Navy, enlisted Service

members, between 20 and 34 years of age. Less than 5% of the Service members were activated reservists at the time of the sexual assault.

Disposition Trends

Disposition data was examined for cases closed during the fiscal year vice open and closed in the same fiscal year. Thorough investigations and case dispositions require time, particularly in complex cases. Examining cases opened and closed in the same fiscal year would have excluded analysis of the more egregious reports received in previous fiscal years, and as a practical matter, all cases reported in the last quarter of the fiscal year, because it takes time to investigate and take disposition actions.

In FY14, there were 920 final dispositions for subjects accused of sexual assault. Fifty-seven percent (522) of the subjects were not prosecuted for the following reasons: lack of jurisdiction (i.e., civilian subjects not subject to UCMJ) (64); civilian or foreign authority exercised jurisdiction over Service member subject (6); subject was unknown (159); allegation was unfounded (e.g., it was false/baseless or did not meet the elements of a sexual assault offense) (27); statute of limitations expired (5); subject died or deserted (1); evidence was insufficient (142); or victim declined or refused to cooperate with the investigation or prosecution (118).

Experiences in Combat Areas of Interest

In FY14, 50% of the subjects were Service members. Unknown and foreign national subjects accounted for a majority of the remaining subjects. The U.S. Navy Service member subjects were primarily male, active duty, and enlisted. The ages of the subjects were widely dispersed between 20 and 49 years of age, with 44% of the ages not available. Due to the relatively small sample size (15) for Unrestricted Reports in the combat areas of interest and varying missions within them, there also is a wide variability of subject demographics from year-to-year.

Command Action for Military Subjects Under DoD Legal Authority

In FY14, command action was taken against 398 Service members for both sexual assault and non-sexual assault (e.g., failure to obey order or regulation) offenses. Types of command action included court-martial, non-judicial punishment, administrative separation, or other adverse administrative actions (including Midshipmen Disciplinary System Action at the U.S. Naval Academy). Court-martial charges were preferred in approximately 49% of cases, a 5% rate increase over FY13.

Sexual Assault Court-Martial Outcomes

In FY14, there were 181 cases where court-martial charges were preferred for a sexual assault offense, a 64% increase over the 110 cases in FY13.

Of those 181 cases, 134 proceeded to trial on at least one sexual assault offense. Of

those 134, 93 cases resulted in a conviction (69%), and 41 in an acquittal (31%). Of those 181 cases, 10 resulted in a resignation or separation in lieu of trial and 36 resulted in dismissal of charges. However, of the 36 that resulted in dismissal of charges, 11 subjects received non-judicial punishment.

2.3. Reporting Data Discussion and Analysis. This section should include an overview of such information as:

- Trends in descriptive information about Unrestricted Reports (e.g., Did more reported incidents occur on/off installation?)
- Investigations
- Experiences in Combat Areas of Interest
- Other

Location and Time of Incident

In FY14, slightly more sexual assault incidents occurred on, rather than off of, military installations. Incidents occurred every day of the week, with the majority occurring Friday through Sunday. When the time of the incident was known, it was more likely to be between midnight and 6 a.m., or 6 p.m. to midnight. In the initial report by the victim, 33% of the reports were made within three days of the sexual assault, and 24% were made four to 30 days after the sexual assault. The remaining reports were delayed longer than 30 days. The time and day of the incidents remained consistent for Unrestricted Reports from FY11 to present.

Investigative Authority

NCIS was the predominant investigative authority for Navy Service members. A small number of Navy Service members were also investigated by other Service MCIOs and civilian or foreign law enforcement. Additionally, NCIS routinely investigates non-Service member subjects (civilian or foreign national) and cases where the subject is unknown as long as there is a U.S. Navy connection (i.e., Navy victim or alleged incident occurred on board a Navy installation).

Combat Areas of Interest

Of the 15 Unrestricted Reports occurring in combat areas of interest, incidents occurred both on and off of military installations, with a small percentage of incidents occurring either in unidentified locations or possibly multiple locations. The incidents largely occurred in Bahrain, which remains consistent since FY11. Other countries included Djibouti, Iraq, Kuwait, and the United Arab Emirates, which has fluctuated over the years. Previous FY reports included Unrestricted Reports occurring in Afghanistan, Pakistan, Jordan, Oman, Qatar, and Uganda. The majority of the incidents took place Friday thru Monday; the time-interval of the incidents varied (e.g., midnight to 6 a.m., 6 a.m. to 6 p.m., or 6 p.m. to midnight).

3. Restricted Reporting

3.1. Victim Data Discussion. This section should include such information as:

- Demographics trends
- Service referrals
- Experiences in Combat Areas of Interest
- Other (Please explain)

Sexual Assault Response Coordinators

Restricted reports are not reported to law enforcement for investigation or to commands for disposition. Sexual Assault Response Coordinators (SARCs) do not report the types of offenses for Restricted Reports. For all Restricted Reports, the role of the SARC is to focus on support services (e.g., crisis intervention and referrals to advocacy, medical, and counseling services) and case management.

Total Restricted Reports

Between FY13 and FY14, there was a notable increase in initial Restricted Reports. There were 96 more reports in FY14 (401) than in FY13 (305), an increase of 31%. There were also 59 more Restricted Reports in FY13 compared to FY12 (246), a 24% increase. In FY14, 393 Service members, five non-Service member victims (involving a military subject and entitled to a Restricted Report by DoD policy), and three reports with unavailable victim type, made a Restricted Report to a SARC and/or SAPR Victim Advocate (SAPR VA). Increased trust and confidence in the SAPR program and a better understanding of what constitutes sexual assault may have contributed to the increase in reporting.

Service Affiliation

In FY14, of the 401 Restricted Reports, 304 remained restricted (not converted to an Unrestricted Report). Within Navy, 299 were filed by Service member victims, 95% Navy (283), U.S. Army (5), U.S. Marine Corps (6), and U.S. Air Force (5).

The remaining five Restricted Reports were filed by non-Service members against Service member assailants (4), with one report with unavailable victim type. Twenty-four of the Restricted Reports involved incidents that occurred prior to the victims' military service.

Demographic Trends

FY14 data in this category is still provisional, precluding trending analysis. Demographically, based on 304 initially Restricted Reports able to be categorized, 261 involved female victims, and 42 involved male victims. The majority, 161 victims, were between the ages of 20-24. The remaining ages of victims at the time of incident were

as follows: three victims between ages 0-15; 65 victims between ages 16-19; 57 victims between ages 25-34; and four victims between ages 35-49. Based on the available 299 Service member reports being categorized, ranks were reported as follows: 201 were E-1 to E-4, 74 were E-5 to E-9, 20 were O-1 to O-3, and four were Cadet/Midshipman.

Combat Area of Interest

In FY14, there were 10 Restricted Reports filed by Service members in combat areas of interest compared to one in FY13. Of the 10 reports, 90% (9) were Navy victims and 10% (1) were U.S. Air Force victims. Demographically, 90% (9) involved female victims, and 10% (1) involved a male victim. The ages of victims at the times of incidents were as follows: 10% (1) ages 16-19, 70% (7) ages 20-24, and 20% (2) ages 35-49. Ranks of the victims were as follows: 60% (6) were E-1 to E-4 and 40% (4) were E-5 to E-9.

Non-Service Member Victims

In FY14, there were 13 non-Service member victims who made an initial Restricted Report. The non-Service member Restricted Reports were made as follows: nine non-Service member on non-Service member entitled to Restricted Report by DOD policy, one unidentified subject on non-Service Member, and three unavailable victim types.

Of the 13 non-Service member Restricted Reports in FY14, two (15%) converted to Unrestricted Report in FY14 and 11 remained Restricted. Of the 11 remaining non-Service member Restricted Reports, two have unavailable victim type. Demographically, nine of the Restricted Reports involved female victims and two have unavailable data. The age of victims at the time of incident was as follows: six were between the ages of 20-24, two were between the ages of 25- 34, one of the victims was between the ages of 16-19, one was between the ages of 35- 49, and one data unavailable.

3.2. Reporting Data Discussion. This section should include such information as:

- Trends in descriptive information about Restricted Reports (e.g., Did more reported incidents occur on/off installation)
- Trends in Restricted Reporting conversions
- Experiences in Combat Areas of Interest
- Other (Please explain)

Restricted to Unrestricted Conversions

In FY14, of the 401 initially Restricted Reports, 24% (97) were converted to Unrestricted Reports, a 98% increase from FY13 (49). FY13 had a 4% increase in conversion from FY12 (47). Of the converted cases able to be categorized in FY14, 94

were filed by Service member victims and one was filed by a non-Service member victim. Approximately 55% (166) of the Restricted Reports were filed by Service members who indicated they were sexually assaulted by other Service members, 21% (65) involved Service members assaulted by an unidentified subject, 16% (50) involved Service members assaulted by a non-Service member, 1% (4) involved non-Service members assaulted by Service members (entitled to make a Restricted Report by DoD Policy), and 6% (19) of the Restricted Reports have unavailable data for this category.

Location of Incident

FY14 Restricted Reports occurring on a military installation (including on board a ship in port) accounted for 25% (78), compared to 54% (165) that occurred off a military installation and 17% (53) that occurred in an unidentified location. The location was unavailable in 3% (8) of the reports for this category. In comparison to FY13 Restricted Reports, there was a 16% decrease for incidents occurring on a military installation [FY13 (83)]; a 16% increase occurring off of a military installation [FY13 (144)]; and a 5% decrease occurring in an unidentified location [FY13 (78)].

Additionally, 14 (5%) of the 283 Navy Service member victims who made Restricted Reports disclosed to SARCs and/or SAPR VAs that the incidents occurred aboard ship while on the installation.

Time of Incident

Approximately 30% (92) of incidents occurred between midnight and 6 a.m., 30% (90) between 6 p.m. and midnight, and 9% (27) between 6 a.m. to 6 p.m. Time of the incident was unknown in 29% (89) of reported incidents and unavailable in 2% (6) cases.

Combat Area of Interest

The 10 combat area of interest Restricted Reports did not convert to Unrestricted. Of these, 70% (7) were made by Service members who indicated that they had been sexually assaulted by other Service members; 10% (1) involved a Service member assaulted by unidentified subject; 10% (1) involved Service member assaulted by non-Service member; and 10% (1) of the Restricted Report data for this demographic was unavailable (blank).

Of the 10 combat area of interest Restricted Reports, 60% (6) were reported as occurring on a military installation and 40% (4) occurred off a military installation. Combat area of interest Restricted Reports are categorized in the following timeframes: two of the sexual assault incidents occurred between midnight and 6 a.m., three of incidents occurred between 6 a.m. to 6 p.m., two occurred between 6 p.m. and midnight, and three have unknown time of incidents.

4. Service Referrals for Victims of Sexual Assault

4.1. Unrestricted Report Referral Data Discussion. This section should include such information as:

- Summary of referral data
- Combat Areas of Interest referral data
- Discussion of any trends of interest identified in referral data
- Other

Service Referrals for Service member Victims of Sexual Assault (Unrestricted Reports)

In FY14, there were 2,563 total support service referrals for Service members making Unrestricted Reports, compared to 2,861 in FY13 and 1,419 in FY12. Referrals were provided by SARCs when the victim requested or conveyed a need for military and/or civilian medical, victim advocacy, mental health, legal, or chaplain services. Referrals were primarily made to military resources for medical and mental health support as well as victim advocacy services. Of the total referrals, 2,337 (91%) were made to military support services: 667 for victim advocacy, 478 for mental health, 278 for chaplain/spiritual support, 374 for legal assistance, 166 to the DoD Safe Helpline, 253 for medical, and 121 were referrals to other services. In addition, 226 (9%) referrals were made to civilian facilities as follows: 49 to a rape crisis center, 46 for mental health, 48 for victim advocacy, 18 for medical, seven for legal assistance, six for chaplain/spiritual support, and 52 to other services.

Combat Areas of Interest

In FY14, there were 54 total support service referrals, both military and civilian resources, for Service members making Unrestricted Reports in combat areas of interest. Referrals were provided by SARCs when the victim requested or conveyed a need for military resources and/or civilian medical, victim advocacy, mental health, legal, or chaplain services. Referrals were primarily made to military facilities for medical and mental health support. Of the total referrals, 52 (96%) were made to military support services: 10 for victim advocacy, 11 (21%) for chaplain/spiritual support, nine for mental health, eight for legal assistance, seven for medical, six to DoD Safe Helpline, and one to other services. In addition, two (4%) referrals were made to civilian facilities as follows: one to a rape crisis center and one for victim advocacy.

Sexual Assault Forensic Examination (SAFE)

In FY14, there were 129 Service member Unrestricted Reports to SARCs where a SAFE was conducted; a 52% increase over FY13 (85). In FY14, there were no instances where these victims reported to SARCs that SAFE kits or other supplies were not available at the time of the victim's exam.

In FY14, there were two cases where Service members in combat area of interest reported to SARCs that a SAFE was conducted

4.2. Restricted Report Referral Data Discussion. This section should include such information as:

- Summary of referral data
- Combat Areas of Interest referral data
- Discussion of any trends of interest identified in referral data
- Other

Service Referrals for Service Member Victims of Sexual Assault (Restricted Reports)

In FY14, there were 824 total support service referrals for Service members who made Restricted Reports, a 16% decrease from FY13 (982). However, FY14 has a 101% increase over FY12 (410) while FY13 had a 140% increase compared to FY12. As with the Unrestricted Reports, FY14 referrals were primarily made to military resources for medical and mental health support as well as victim advocacy services. Of these total referrals, 745 (90%) were made to military resources, including 196 for victim advocacy, 170 for mental health, 112 for chaplain/spiritual support, 103 for medical, 70 for DoD Safe Helpline, 62 for legal, and 32 to other services. In addition, 79 (10%) referrals were made to civilian facilities as follows: 26 to a rape crisis center, 21 for mental health, 11 for victim advocacy, five for medical, two for chaplain/spiritual support, and one for legal services.

Combat Areas of Interest

In FY14, there were 24 total support service referrals for Service members who made Restricted Reports in combat areas of interest. Referrals were provided by SARCs when the victim requested or conveyed a need for military and/or civilian medical, mental health, legal, victim advocacy, or chaplain services. Referrals were primarily made to military resources for medical and mental health support as well as victim advocacy services. Of these total referrals, 22 (92%) were made to military resources, including seven (32%) for victim advocacy, seven (32%) for mental health, four (18%) for medical, two (9%) for legal assistance, one (4.5%) for chaplain/spiritual support, and one (4.5%) for DoD Safe Helpline. In addition, (8%) referrals were made to civilian facilities as follows: one (50%) to a rape crisis center and one (50%) for chaplain/spiritual support.

Sexual Assault Forensic Examination (SAFE)

In FY14, there were 39 Service member Restricted Reports to SARCs where a SAFE was conducted, a 15% increase from FY13 (34). In FY14, there were no instances

where these victims reported to SARCs that SAFE kits or other supplies were not available at the time of the victim's exam.

In FY14, there were no Service members in combat areas of interest with Restricted Reports to SARCs who indicated that a SAFE was conducted.

4.3. Service Referrals for Non-Military Victims Data Discussion. This section should include such information as:

- Summary of referral data
- Combat Areas of Interest referral data
- Discussion of any trends of interest identified in referral data
- Other

Service Referrals for Non-Service Member Victims of Sexual Assault (Unrestricted)

In FY14, there were 149 total support service referrals for non-Service members who made Unrestricted Reports. Referrals were provided by SARCs when the victim requested or conveyed a need for military and/or civilian medical, mental health, legal, victim advocacy, or chaplain services. Referrals were primarily made to military resources for medical and mental health support as well as victim advocacy services. Of these total referrals, 118 (80%) were made to military facilities, including 35 for victim advocacy, 26 for mental health, 15 for chaplain/spiritual support, 14 for medical, 9 for DoD Safe Helpline, 15 for legal assistance, and 4 to other services. In addition, 30 (20%) referrals were made to civilian facilities as follows: seven to a rape crisis center, 11 for mental health, four for victim advocacy, three for medical, one for legal services, and five referrals were for other services.

Service Referrals for Non-Service Member Victims of Sexual Assault (Restricted)

In FY14, there were 42 total support service referrals for non-Service members who made Restricted Reports. Referrals were primarily made to military facilities for medical and mental health support as well as victim advocacy services. Of these total referrals, 36 (86%) were made to military resources, including eight for victim advocacy, seven for mental health, seven for chaplain/spiritual support, seven for medical, four for DoD Safe Helpline, two for legal assistance, and one for other services. In addition, six (14%) referrals were made to civilian facilities as follows: two for a rape crisis center, two for medical, one victim advocacy, and one were referrals for other services.

Combat Areas of Interest

There were no cases in this category requiring support services referrals in a combat area of interest.

Sexual Assault Forensic Examination (SAFE)

In FY14, there were 19 non-Service member Unrestricted Reports to SARCs where a SAFE was conducted. In FY14, there were no instances where these victims reported to SARCs that SAFE kits or other supplies were not available at the time of the victim's exam.

In FY14, there were seven non-Service member Restricted Reports to SARCs where a SAFE was conducted. In FY14, there were no instances where these victims reported to SARCs that SAFE kits or other supplies were not available at the time of the victim's exam.

5. Additional Items

5.1. Military Justice Process/Investigative Process Discussion. This section should include such information as:

- Length of time from the date a victim signs a DD 2910 to the date that a sentence is imposed or accused is acquitted (Non-Metric #3)
- Length of time from the date a victim signs a DD 2910 to the date that NJP process is concluded (e.g., punishment imposed or NJP not rendered) (Non-Metric #4)
- Length of time from report to MCIO recommendation (Non-Metric #5)

In FY14, the average length of investigations conducted by NCIS was 126 days. In cases where the most serious offense investigated by NCIS was a penetration offense, the average length of time between the date the investigation was completed and the date legal advice was rendered to the command regarding case disposition was 29 days. In those cases disposed of at court-martial, the average length of time between the date the victim chose to make an Unrestricted Report and the date the sentence was imposed or an accused was acquitted at court-martial was approximately 317 days. In cases disposed of at non-judicial punishment, the average length of time between the date the victim signed a DD 2910 and the date non-judicial punishment was concluded was approximately 155 days.

Non-Metric Six

6.1. Non-metric #6: DoD action in sexual assault cases declined by civilians

Navy chose the following case synopses as anecdotal examples of situations where the military justice process was used to address allegations of sexual assault involving military members, when a civilian or foreign justice process did not or could not fully address the misconduct alleged. These cases were selected by the Service to demonstrate certain aspects of the military justice process and do not reflect the sum total of all such occurrences during FY14.

Case 1

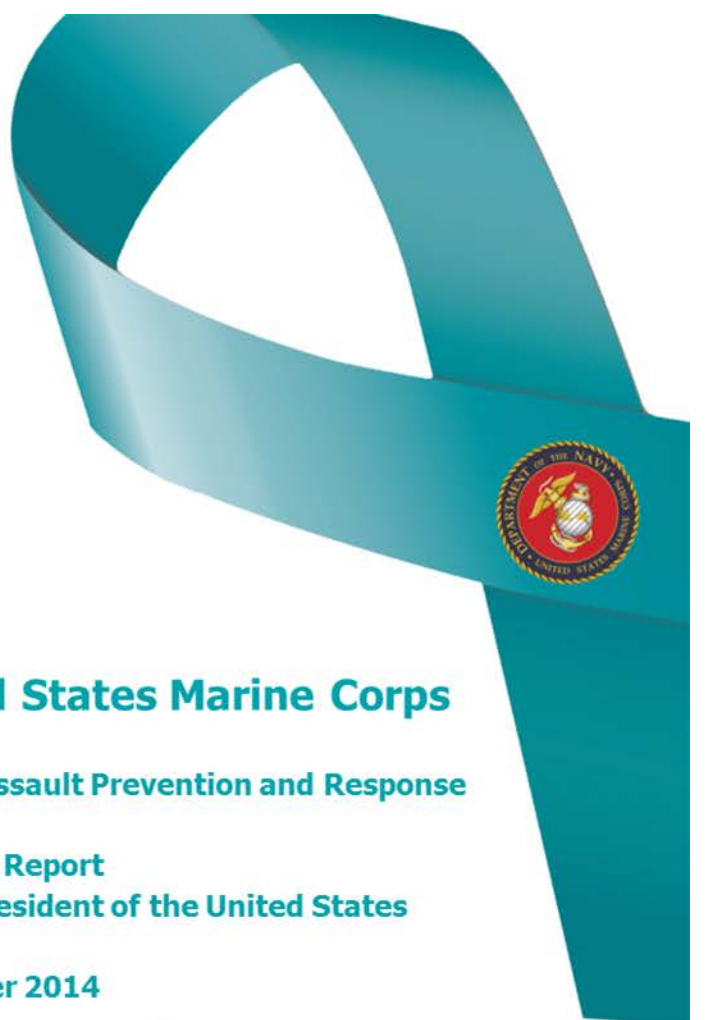
Continental United States: Victim reported being sexually assaulted by Subject after a night of celebrating with her husband and others. Victim reported becoming too intoxicated, getting sick, and going to bed. Victim awoke to Subject attempting to orally copulate her after digitally penetrating her vagina. Subject was taken into custody by local authorities. Subject admitted to sexually assaulting the Victim. Local authorities dismissed the case due to lack of Victim participation and released primary jurisdiction of the investigation to the MCIO. Subject was convicted at a general court-martial and was adjudged 126 days of confinement, reduction to the pay grade E-1, forfeiture of \$1,000 for a period of one month, and a bad conduct discharge.

Case 2

Continental United States: Victim reported that she last remembered having drinks with Subject and then woke up in an unknown location, later identified as Subject's apartment, with Subject on top of her engaging in vaginal intercourse. Victim stated she passed out again and then woke up the next morning alone in Subject's apartment. Local authorities declined to prosecute due to insufficient evidence to prove the case beyond a reasonable doubt. Navy prosecuted and Subject was convicted at a general court-martial and adjudged three years of confinement and a bad conduct discharge.

Case 3

Outside Continental United States: Victim reported that after drinking with Subject, Subject removed his penis from his pants while he and the Victim were outside. Victim reported that Subject forced her to perform oral sex on him. Victim further reported that Subject dragged Victim to a nearby park and then back to his off-base residence where she was forced to continue to perform oral sex on Subject and was raped by Subject multiple times. Subject also struck Victim in the stomach and threatened to kill her in order for her to comply. Foreign authorities declined to prosecute. Subject was convicted at general court-martial and adjudged nine years of confinement, total forfeiture of all pay and allowances, reduction to the pay grade E-1, a \$90,000 fine, and a dishonorable discharge.

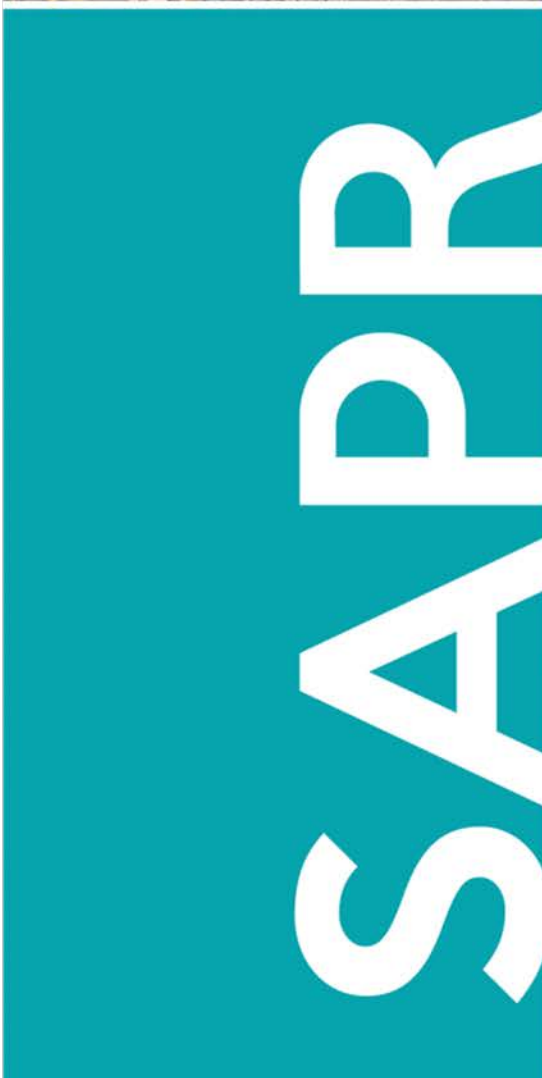


United States Marine Corps

Sexual Assault Prevention and Response

Progress Report to the President of the United States

December 2014



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United States Marine Corps

Sexual Assault Prevention and Response (SAPR)
Progress Report to the President of the United States
December 2014

TABLE OF CONTENTS

Executive Summary	5
Comprehensive Overview by Line of Effort (LOE)	7
Line of Effort 1: Prevention	7
Line of Effort 2: Investigation	22
Line of Effort 3: Accountability	28
Line of Effort 4: Advocacy/Victim Assistance	47
Line of Effort 5: Assessment	61

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Executive Summary

United States Marines are bound by loyalty and self-discipline. As members of an elite fighting force distinguished by its intense readiness, they are responsible for defending and aiding anyone in need at a moment's notice—especially fellow Marines. In the Marine Corps, the words *honor*, *courage*, and *commitment* are not empty, abstract concepts; they are the time-honored principles upon which all Marines build their lives and base their actions. Sexual assault does not belong among these legendary ranks. Those who fail to prevent sexual assault fail to uphold the proud tradition of excellence the Marine Corps has fought for centuries to establish. “Every sexual assault that has ever occurred in our Corps,” wrote the 35th Commandant of the Marine Corps in a letter to Congress, “has damaged lives, eroded trust, tarnished our legacy of valor, and brought shame on all Marines, past and present.”

Recognizing the devastating effects of sexual assault—including its impact on morale, mission capability, and readiness—the Commandant instituted Corps-wide measures to combat sexual assault. The Marine Corps enhanced its prevention efforts, introducing training programs focused entirely on community-based bystander intervention. The Corps also improved response capabilities, establishing 24/7 Installation Helplines in late 2010 and implementing first responder protocols in 2011. These early efforts had immediate effects and formed the basis of prevention and response initiatives still in use today. They also helped to reveal the greater scope of the problem within the Marine Corps and infused a sense of urgency in all Marine Corps leaders. In FY11, there were 346 victims in reports of sexual assault in the Marine Corps, which the Commandant called only “an initial glimpse of reality.” The large majority of victims did not report and too many Marines, he said, “refuse to acknowledge the magnitude of the problem.” Clearly, more needed to be done.

In early 2012, the Commandant issued the three-phase USMC Sexual Assault Prevention and Response (SAPR) Campaign Plan, which, in addition to more thorough program and data assessments, called for unprecedented institutional reform in the areas of prevention training for all ranks and standardized response capabilities across the Corps. The SAPR Campaign Plan called for the identification and closing of programmatic gaps pertaining to investigative, legal, and victim care services and for improved communication to the fleet regarding new and existing resources available to victims. In addition, the Campaign Plan called for large-scale SAPR training initiatives so that all Marines, from recruits to Commanders, would better understand the destructive effects of sexual assault and how to take immediate action to prevent it.

The fight against sexual assault requires total leadership engagement at all levels. The Marine Corps is built around the authority and centrality of the Commander, a model designed to enhance combat effectiveness, the sole organizing principle of all military Services. The SAPR Campaign Plan was therefore built around this central pillar of command, so that when critical moments arise—in the context of sexual assault—there is no hesitation among Marines. During such moments, each individual Marine must know that he or she is the right person for the right task at the right time, and it is the Commander who instills this sense of responsibility and trust. Accordingly, Phase I of the

SAPR Campaign Plan focused on the infusion of SAPR principles into key levels of leadership: General Officers, Sergeants Major, all Marine Corps command teams, noncommissioned officers. This initial surge of top-down training was followed by an All Hands SAPR training event for every Marine, which was conducted by Commanders and senior enlisted leaders to further solidify and demonstrate leadership engagement.

While these training events focused on prevention—dispelling myths, challenging preconceived beliefs, reducing stigma, and teaching specific intervention techniques—they were also used as a vehicle for outreach to raise victim awareness of reporting options and resources. The resulting second-half FY12 reporting spike brought the year's total to 453 victims in sexual assault reports, a 31 percent increase over FY11. Phase II of the SAPR Campaign Plan, which was launched November 2012, intensified these prevention initiatives, with customized SAPR training being developed for each stage in a Marine's career, and further advanced Phase I efforts to streamline victim response capabilities. During this time, the Marine Corps implemented the SAPR 8-Day Brief, a compliance mechanism used by Commanders to ensure proper victim response protocol for every unrestricted report. In addition, a victim advocacy survey was developed and implemented, providing valuable insight into the first-hand experiences of victims receiving services. These tools have been recognized for their proven effectiveness, serving as the precursors for similar mechanisms adopted by the Department of Defense (DoD) for use by all Service branches.

Other initiatives during this period included the increased staffing and credentialing of all Marine Corps SAPR first responders, along with the strengthening and expansion of their required training. In addition, protocol for all sexual assault investigations was remodeled to reflect a task force-style approach. The entire Marine Corps legal community was reorganized, improving prosecutorial capability and expertise for sexual assault and other complex cases. The Marine Corps also established the Victims' Legal Counsel Organization (VLCO), which provides dedicated legal guidance and representation to all crime victims, including victims of sexual assault.

As the Marine Corps continued to strengthen its prevention and response capabilities, more victims continued to come forward. In FY13, there were 876 victims in reports of sexual assault, marking a 93 percent increase over FY12. In FY14, there were another 855 victims in reports of sexual assault, sustaining this high level of reporting. This upward trend is supported by other positive statistical measurements, including yearly increases in reports for incidents that occurred over one year prior, reports converted from restricted to unrestricted status, the number of completed sexual assault investigations, and an increase in prosecutions for sexual assault offenses. For a crime often characterized by trauma, shame, and lack of acknowledgement, these and other developments demonstrate the progress that this institution has made in the last three years. The Marine Corps is gaining the trust of victims, whose confidence in the response system bridges the way to appropriate offender accountability.

The following Progress Report to the President of the United States details all Marine Corps SAPR initiatives and progress since December 2011. The report is organized to reflect the five lines of effort (LOE) that have guided the development and

implementation of the SAPR Campaign Plan: prevention, investigation, accountability, advocacy/victim care, and assessment. Despite the encouraging trends detailed herein, the battle against sexual assault is far from over. In April 2014, following a status review of the SAPR Campaign Plan, the Commandant issued a Phase II Addendum to address and explore newfound gaps and areas of improvement. These include prevention during periods of vulnerability, such as Marines transitioning to the operating forces from the entry level pipeline; the misuse of alcohol as it relates to sexual assault; the fidelity of existing SAPR metrics; and external communication and transparency. Reviews of Marine Corps progress will be conducted annually to determine whether the conditions have been met to begin the third phase of the SAPR Campaign Plan, which will focus on enduring sustainment.

Ultimately, the goal of the Marine Corps is to have all Marines take personal ownership of the core values that have defined this institution since its inception—honor, courage, and commitment—and to uphold these values consistently throughout their careers and beyond. Every Marine, the Commandant stated, must be “dedicated to making necessary changes to prevailing conditions and attitudes to create the work culture that the American people not only expect, but demand from their Marines.” Achieving such a vision would make all of the below SAPR efforts necessarily self-enforcing and ingrained into an institution in which sexual assault and other crimes of misconduct are, without exception, unaccepted and eliminated.

Comprehensive Overview by Line of Effort (LOE)

1. LOE 1—Prevention

In April 2012, the Commandant convened a SAPR Operational Planning Team (OPT) chaired by a General Officer and comprised of senior officers and enlisted leaders hand-selected by the Commandant. The Commandant tasked the OPT with assessing the urgency and magnitude of sexual assault within the Corps and devising a strategy to address and combat this crime. Commanding Officers, Officers-in-Charge, and senior enlisted were charged with changing the prevailing conditions and attitudes that allow this crime to happen within our ranks.

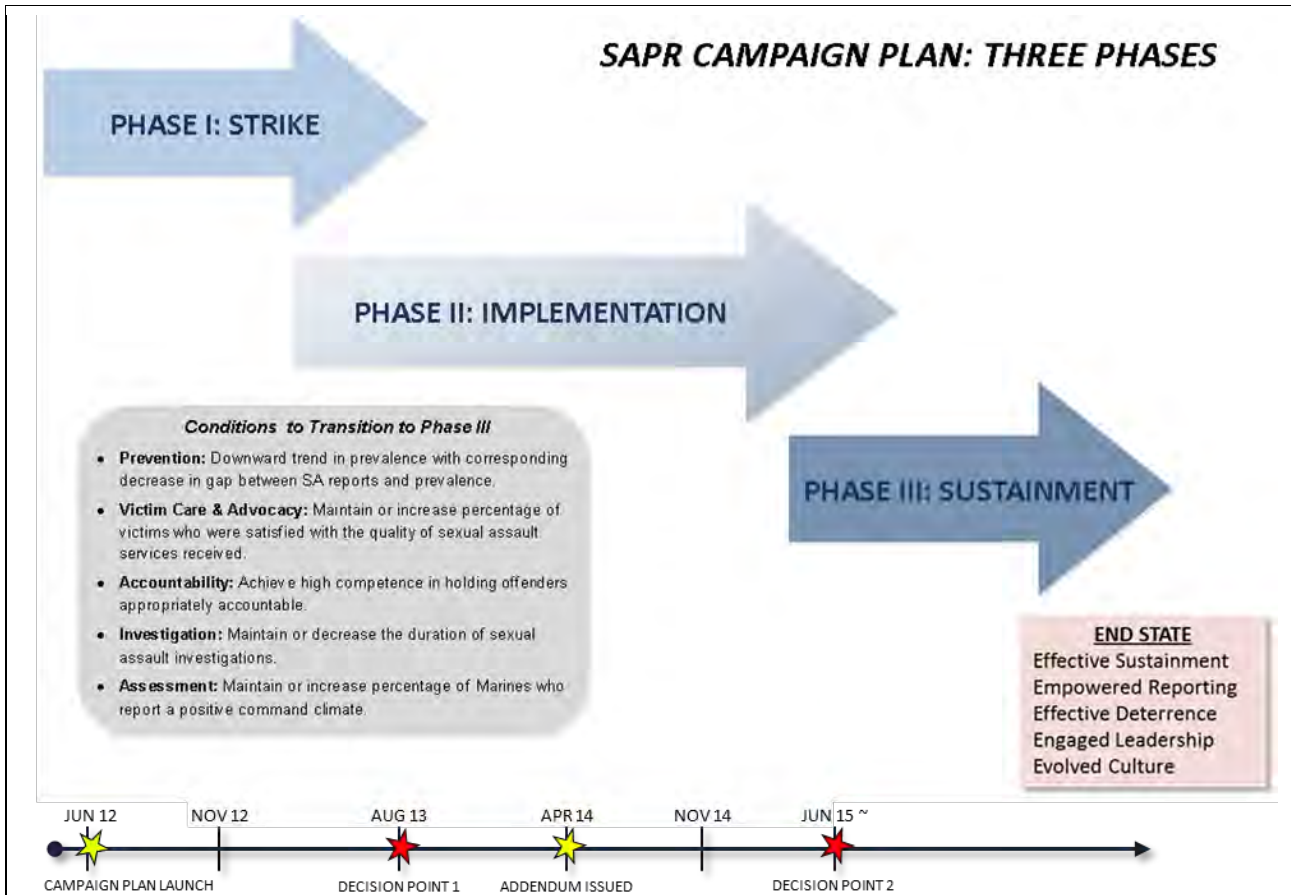
The OPT created the three-phase SAPR Campaign Plan, signed June 2012, which outlined and guided the implementation of initiatives designed to eliminate sexual assault from the ranks and enhance capabilities pertaining to victim care, appropriate offender accountability, and program assessment. Phase I of the SAPR Campaign Plan spanned five months, from June to November 2012, during which time over 40 tasks were assigned and completed. Included were several SAPR training events and programs specifically designed for General Officers, Sergeants Major, command teams, noncommissioned officers, as well as an “All Hands” mandatory SAPR Training initiative for every Marine. Phase I also called for the complete reorganization of the SAPR branch at the headquarters level, assigning leadership and Campaign Plan implementation oversight to a Colonel (O-6) from an operational command, again hand-selected by the Commandant.

Phase II of the SAPR Campaign Plan was launched on 10 November 2012, introducing several large-scale victim response initiatives, while extending and intensifying the prevention efforts started in Phase I. More SAPR training programs were developed and implemented across the Corps, customized to specific internal entities including the Delayed Entry Program, Recruit Depots, Military Occupational Specialty (MOS) schools, Primary Military Education (PME) for both officers and enlisted, Commanders and Senior Enlisted Leaders, and pre-deployment environments. All annual training requirements were also customized in a manner specific to grade in order to keep the SAPR material fresh and relevant to the intended audience.

While built around leadership engagement, each of these Marine Corps SAPR training programs were designed to disrupt the offender's cycle of harm in part by teaching the principles of bystander intervention. Evidence-based research has shown that the likelihood of bystanders intervening to prevent a crime decreases significantly when the offender and the victim know each other. This finding is especially critical in the context of sexual assault, where the large majority of victims are acquainted with their attackers. This reluctance to intervene is most effectively addressed at the community level with proper training that empowers bystanders in two ways: 1) infusing them with a sense of responsibility to intervene, and 2) teaching them how to intervene. The Marine Corps has addressed these two elements in its training courses by appealing to all Marines' sense of duty to protect each other and instructing them in the three D's of bystander intervention: Direct, Distract, and Delegate. Information regarding specific Marine Corps SAPR training initiatives implemented within the last three years will be detailed below.

In August 2013, the Commandant re-convened the SAPR OPT to review the effectiveness of the initiatives specific to this SAPR Campaign Plan and determine the way ahead. Specifically, the OPT was tasked with answering the following three questions: 1) What is the Marine Corps doing that is working?, 2) What is the Marine Corps doing that is not working?, and 3) What should the Marine Corps be doing that it is not doing? The OPT concluded that while the Marine Corps is moving in the right direction, Phase II of the Campaign Plan should be extended to build upon our progress and sustain the positive energy and momentum of our efforts thus far. A working group was convened in October 2013 to develop and refine additional Phase II tasks, which were thoroughly researched, organized, and incorporated into the Addendum to the SAPR Campaign Plan, signed by the Commandant on 7 April 2014. The Addendum includes tasks designed to enhance Marine Corps efforts in several areas, including prevention during periods of vulnerability, such as Marines in transition; the misuse of alcohol; SAPR metrics; and external communication and transparency. The next decision point and Campaign Plan review is scheduled for June 2015.

The third phase of the SAPR Campaign Plan remains on a conditions-based timeline, as outlined in the graphic below. The focus of Phase III will be the sustainment of all Marine Corps SAPR progress to date.



Training Enhancements

Every Marine is required to complete annual SAPR training to ensure a thorough understanding of the nature of sexual assault in the military environment and the entire cycle of prevention, reporting, response, and accountability. The training provides Marines with a general knowledge of sexual assault, to include:

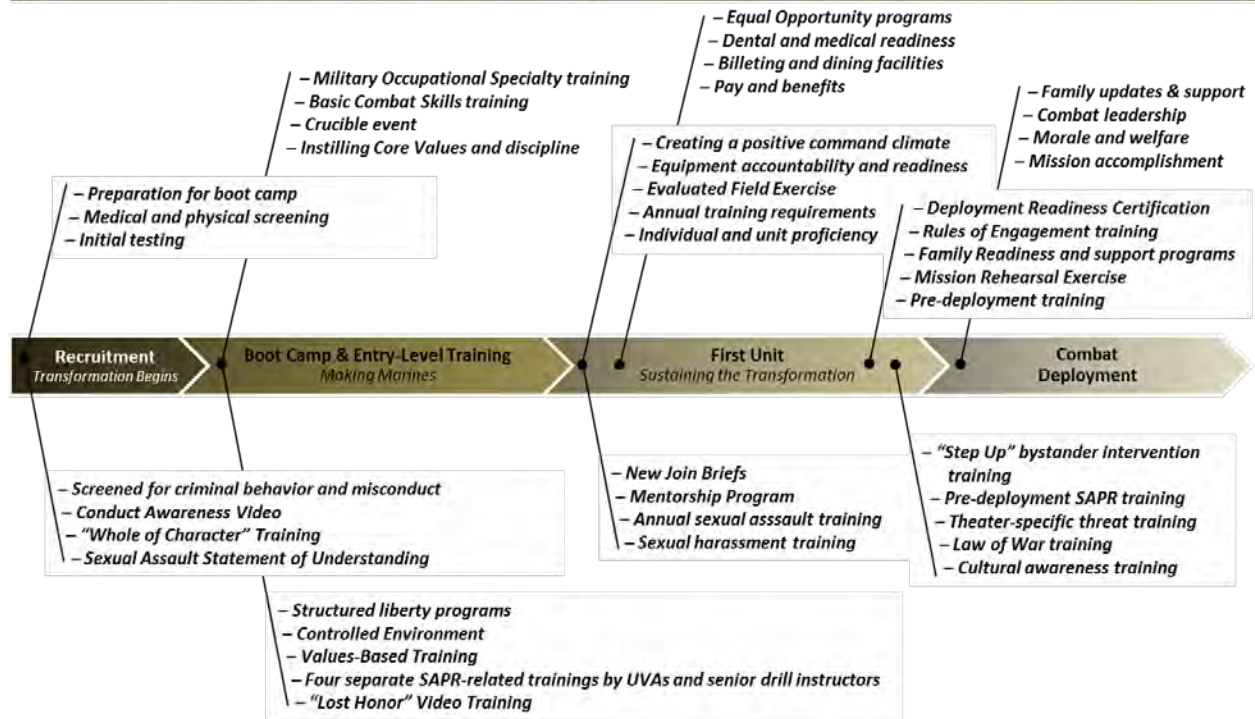
- What constitutes sexual assault;
- Why sexual assault is a crime;
- The definition of consent;
- Available reporting options, exceptions, and limitations of each option;
- Awareness of the Commander’s roles, responsibilities, and available military and civilian resources for victims;
- The distinction between sexual assault and sexual harassment and other types of sexual-related misconduct; and
- Methods of prevention and risk reduction, to include bystander intervention.

The below “Life of a Marine” graphic displays a rough timeline of a Marine’s progress from recruitment through his or her first duty station and combat deployment. Since the June 2012 launch of the SAPR Campaign Plan, the Marine Corps has concentrated a large portion of its efforts on this crucial period in the life of a Marine, working to instill a sense of ethics and responsibility into our youngest, most vulnerable demographic.



The Life of a Marine

A Commanding Officer is Responsible for Leading from the Barracks to the Battlefield



The ongoing establishment of the SAPR training continuum includes new training initiatives implemented even before recruit training, emphasizing individual character and the core values, and extends into the later stages of a Marine's career, focusing on leadership and accountability. These initiatives comprise a building block model for Marine Corps SAPR training and include programs designed specifically for the following:

Delayed Entry Program (DEP)

The Marine Corps has instituted a formal two-hour ethics package course of instruction titled "Whole of Character" for all poolees (i.e., Marine Corps enlistees who are awaiting travel to Recruit Training). This training is conducted by recruiters and required prior to accession. It is designed to introduce young men and women to the Marine Corps ethos of honor, courage, and commitment, while addressing the Marine Corps position on sexual assault, harassment, hazing, and alcohol abuse. Learning objectives include:

- Understand the Marine Corps core values and how they are consistent with ethical standards of behavior;
- Understand the DoD definitions of sexual harassment, sexual assault, consent, and bystander intervention;
- See the value of making ethical decisions consistent with Marine Corps ethical standards;
- Anticipate consequences of decisions; and
- Avoid actions that could lead to negative outcomes.

Upon initial enlistment, recruits view the “Conduct Awareness” video, which describes inappropriate behavior and how to report misconduct and crimes, delivered by the Military Entrance and Processing Station (MEPS) Liaison.

Marine Corps Recruit Depots (MCRD), Officer Candidates School (OCS), and Military Occupational Specialty (MOS) schools

All recruits receive SAPR training within the first 14 days of arriving at recruit training and again before graduation. Officer candidates also receive SAPR training within the first 14 days of arrival at Officer Candidates School (OCS). Both populations are required to sign a statement of understanding (SOU) pertaining to Marine Corps policy on sexual assault and sexual harassment. The SOU states: “Sexual assault and sexual harassment are prohibited in the United States Marine Corps. Furthermore, any instances of non-adherence to this policy by a Marine can result in disciplinary or administrative action.” The SOU also contains clear definitions of sexual assault and sexual harassment. These Marines receive additional SAPR training prior to arrival at their first duty stations while at either The Basic School (for officers) or Military Occupational Specialty (MOS) training (for junior enlisted Marines).

Both Marine Corps Recruit Depots (Parris Island and San Diego) now conduct four separate SAPR-related trainings. Training is provided on the first day of arrival to recruit training, conducted by a Uniformed Victim Advocate (UVA). The second is on Training Day 10, which is a lecture given by the MCRD academics department. The third is a foot locker discussion with their Senior Drill Instructor, which occurs at Training Day 50. The fourth occurs at the end of recruit training and consists of the Marine Corps *Lost Honor* video, which includes interviews with four Marines convicted of sexual assault, each recounting the various circumstances and decisions leading up to the incident.

In addition, all recruits receive two Core Values Guided Discussions (CVGDs) at the beginning and during the final phase of recruit training. Both CVGDs are conducted by the platoon’s Senior Drill Instructor (SDI). Recruits are also taught core values and bystander intervention during Marine Corps Martial Arts Program (MCMAP) training, which includes discussions pertaining to ethics.

The following table contains a complete list of all sexual assault, sexual harassment, and related training during recruit training:

TRAINING TOPIC	CONDUCTED BY	LENGTH OF TRAINING
Equal Opportunity (EEO)	Series Commander (1stLt/Capt)	1 hour
SAPR	Company 1stSgt	1 hour
SAPR 1 Guided Discussion	Senior Drill Instructor (SDI)	30 minutes
Sexual Harassment	Company CO (Capt)	1 hour
EEO Guided Discussion	SDI	30 minutes
Sexual Harassment Guided Discussion	SDI	30 minutes
Fraternization	Series Commander (1stLt/Capt)	1 hour

Sexual Responsibility	Company 1st Sgt	1 hour
Fraternization Guided Discussion	Drill Instructor (DI)	30 minutes
Sexual Responsibility 1 Guided Discussion	SDI	30 minutes
SAPR 2 Guided Discussion	SDI	30 minutes
Warrior Preservation	SDI	1 hour
Sexual Responsibility 2 Guided Discussion	DI	30 minutes
Continuing the Transition Guided Discussion	SDI	30 minutes

After recruit training and OCS, SAPR training is provided at MOS schools by UVAs. SAPR training at MOS schools reinforces the values and instruction that these new Marines received during recruit training. Newly commissioned Second Lieutenants receive SAPR training at The Basic School within the first two weeks of arrival. A SAPR overview is taught by a UVA and is followed by a discussion with the Commanding Officer. Additionally, the Second Lieutenants break into small groups and go through scenarios with their Platoon Commanders. These scenarios focus on handling a report of sexual assault from a leader's perspective.

Junior Enlisted Marines

Marine Corps efforts to focus on that critical period of transition between entry-level training and the operating forces were strengthened by the 28 July 2014 release of the "Step Up" bystander intervention training program. Designed specifically for junior Marines, the most at-risk demographic in the Marine Corps, "Step Up" is a 90-minute video-based, interactive program that teaches the principles of bystander intervention. The video segment, which is integral and exclusive to this training, follows a group of acquainted junior Marines attending an off-base house party during which one Marine aggressively pursues another. The training teaches Marines about sexual assault and how to prevent it by identifying in this scenario the different ways in which bystanders could have intervened to stop an incident from occurring.

Regarding bystander intervention, "Step Up" training discusses red flags (i.e., actions and behaviors that go against the core values of the Marine Corps), as well as when and how to intervene, providing specific techniques and examples. In addition, the "Step Up" curriculum teaches junior Marines about healthy relationships, consent, sexual harassment (and how it differs from sexual assault), and reporting options for victims.

Noncommissioned Officers (NCOs)

The Marine Corps "Take A Stand" training initiative was launched on 15 January 2012, six months prior to the launch of the SAPR Campaign Plan, initiating our customized SAPR training model, a building block approach designed to keep SAPR material fresh and relevant for all Marines. The three-hour "Take A Stand" curriculum, designed specifically for NCOs (Corporals and Sergeants), replaces the SAPR annual training requirement for these ranks and includes mini-lectures, guided group discussions,

activities, and over 60 documentary interviews that comprise the program's video component. In addition, the video includes interviews with SAPR subject matter experts, the Commandant and Sergeant Major of the Marine Corps, senior leaders, NCOs, junior Marines, and victims of sexual assault.

The video component of "Take A Stand" also includes the dramatization of a scenario in which a Lance Corporal is being targeted by a Corporal, leading to a sexual assault. This scenario is designed to engage the audience and set up key teaching points pertaining to consent, the impact of sexual assault on victims, and offender techniques, including coercion, influence, and alcohol. Above all, the scenario informs the small-group discussions centered on intervention, specifically on when and how bystanders should intervene, as well as on why people often fail to.

With 63% of all Marines being age 25 or younger, and 42% of all Marines at the rank of Lance Corporal or below, NCOs are relied upon heavily for their presence and leadership and are considered the backbone of the Corps. Following its release, "Take A Stand" was completed by all NCOs by 31 August 2012. Currently, the program is required training for all newly promoted Corporals and Sergeants. "Take A Stand" is taught by UVAs who have been certified by a master training team led by an installation SARC.

Pre-deployment Training

The Marine Corps revised its pre-deployment SAPR training program, which now includes bystander intervention and risk reduction strategies. The training also provides information pertaining to the country anticipated for deployment, emphasizing its customs, mores, and religious practices. In addition, the training identifies first responders who will be available during deployment, to include law enforcement, legal, the SARC, UVAs, healthcare personnel, and Chaplains.

Professional Military Education (Officer and Enlisted)

Customized SAPR training has been developed and implemented for the following: Corporals Course, Sergeants Course, Staff Academy, Advanced Academy, First Sergeants Course, Expeditionary Warfare School (EWS), and Command and Staff (CSC). SAPR material has been incorporated into the Corporals and Sergeants Course curricula, while HQMC SAPR provides the training at the Staff Academy, Advanced Academy, 1st Sergeants Course, EWS, and CSC. The SAPR training for EWS and CSC includes real-life case studies that illustrates the importance of Commander awareness. The training teaches that Commanders should always be aware of how their actions, or inactions, communicate intent and messages across the Corps.

Prospective Commanders and Senior Enlisted Leaders

The Marine Corps Commanders Course is mandatory for all prospective Commanders and Senior Enlisted Advisors. The course emphasizes the importance of command climate and the central role of leadership in both prevention and response. The four-phase course employs a read-ahead, a group lecture/discussion, and practical application (i.e., small-team problem-solving scenarios). The last phase is a brief by their

installation SARC within 30 days of assuming command or getting posted. The brief covers SAPR resources available at the local level. In addition to teaching the basic concepts and issues related to sexual assault in the military, the Commanders Course is designed to ensure that all Marine Corps leaders understand:

- Risks and circumstances associated with sexual assault incidence and the proactive measures to prevent sexual assault and other destructive behaviors within their command;
- Essential elements of quality victim care and the roles and responsibilities of victim service providers;
- Complexity of sexual assault crimes and the appropriate investigation and disposition options available; and
- The roles of Commanders and Senior Enlisted Leaders in fostering a command environment free of sexual assault.

Commanders/Command Teams/Senior Officers

Following the Commanders Course, all Command Teams must receive SAPR annual refresher training conducted by the Installation SARC. The Marine Corps also developed and implemented specific SAPR training for the Brigadier General Select Orientation Course (BGSOC), which outlines all the key command responsibilities, including military protective orders, civilian protective orders, expedited transfers, transferring of the alleged offender, and holding offenders appropriately accountable. Above all, the BGSOC SAPR training emphasizes the fact that Marines who have been sexually assaulted often do not come forward due to fear of being punished for collateral misconduct, being ostracized in the unit, or not being believed or supported by their leadership. The training emphasizes the importance for leadership to set the tone about how sexual assault can be prevented and making sure that any incidents are properly addressed per policy.

In addition, numerous one-time training events and stand-downs have also been conducted for senior leaders before and after the June 2012 launch of the SAPR Campaign Plan. The most notable of these include:

Senior Leaders Seminar

This four-hour SAPR training course was conducted nine times throughout 2011 for all Master Sergeants, First Sergeants, Master Gunnery Sergeants, Sergeants Major, Chief Warrant Officers, and all senior officers.

SAPR General Officers' Symposium (GOS)

Held 10–11 July 2012 at Marine Corps Base (MCB) Quantico, this SAPR GOS was convened by the Commandant to initiate the top-down approach of Phase I of the SAPR Campaign Plan. Mandatory for all General Officers, the symposium specifically addressed the prevention of sexual assault and consisted of two days of training conducted by subject matter experts who spoke on topics relevant to prevention, including the effects of alcohol, inadvertent victim blaming, dispelling myths, and other

related subjects. Training on sexual assault prevention was also made a centerpiece topic of the 2012 Sergeants Major Symposium, held 1 August 2012.

Command Team Training

As part of Phase I of the SAPR Campaign Plan, SAPR Command Team Training was conducted for all Commanding Officers and Sergeants Major. The training program was designed to ensure that all leaders (staff NCOs and officers) are engaged and mindful of the problem of sexual assault within the Corps. The program consisted of one day of training presented in the form of guided discussion, case studies, video-based Ethical Discussion Games (EDGs), and SAPR Engaged Leadership Training. SAPR Engaged Leadership Training provided Command Teams in-depth practical knowledge on their responsibilities within the SAPR program, on the importance of establishing a positive command climate and victim care, the process of Victim Advocate selection, and the necessity to equip Marines with knowledge pertaining to sexual assault prevention.

Leadership Summit

In June 2013, the Commandant directed the Leadership Summit for all Commanding Generals, Commanding Officers, and their Senior Enlisted Advisors. Utilizing case studies and small-group discussions, the summit underscored how the ripple effects of command climate impact the lives of individual Marines, the effectiveness of the unit, and the overall strength of the Corps. Reinforcing the SAPR Campaign Plan's Commander-centric structure, the Leadership Summit embedded the problem of sexual assault into the larger sphere of command climate and addressed the often co-occurring behaviors of alcohol misuse and sexual harassment, which ranges from crude behavior to sexual coercion. Training on sexual assault prevention is also included in the annual Sergeants Major Symposium and was made a centerpiece topic for the symposium held in August 2012.

Additional SAPR Training Events and Programs for all Marines

All Hands Training

Mandatory for every Marine, this training program was conducted from September to November 2012 as part of Phase I of the SAPR Campaign Plan. The training tied prevention not only to the core values of honor, courage, and commitment, but also to unit cohesion, readiness, and morale. Conducted by Commanders and Sergeants Major, All Hands training included direct messages from the Commandant, as well as extensive instruction on SAPR services, resources, procedures, and reporting options. The principles of bystander intervention were embedded in All Hands training through video-based EDGs, which contain scenarios related to sexual assault.

Sex Signals

The Marine Corps has greatly benefited from the relationship it has established and maintained with Catharsis Productions, a theater company and advocacy organization whose mission is to reduce interpersonal violence by producing innovative and research-supported programming that challenges oppressive attitudes, transforms behavior, and inspires communities to create a world without violence. Their effective program "Sex

Signals” supports the Marine Corps SAPR mission through non-traditional training techniques. Incorporating improvisation, audience interaction, humor, and education, “Sex Signals” provides a fresh and provocative look at dating, sex, and the core issue of consent.

Part of the two-person “Sex Signals” show requires the audience to play the role of the bystander. The two actors demonstrate some sexually aggressive behavior at a party, and the audience is armed with STOP signs to hold up when they think it’s going too far. The audience’s reactions allow for the discussion of differing ideas of what is acceptable. Feedback from participants has shown that many will fail to hold up their STOP signs because they think no one else will. This problem mirrors real-life situations in which bystanders do not intervene because they imagine they are the only ones who see a particular incident as a problem. “Sex Signals” was performed across 16 Marine Corps installations and two reserve sites throughout FY12 and FY13.

No Zebras. No Excuses: Sexual Aggression Peer Advocates (SAPA) was established at Central Michigan University in 1996 and has become one of the foremost peer advocate programs in the country. SAPA provides training and educational programs on sexual assault and violence prevention, including their renowned program “No Zebras. No Excuses,” which is a survivor-centered, perpetrator-focused stage production that uses vignettes to present audience members with scenarios related to bystander intervention. In FY12, “No Zebras. No Excuses” was performed across several Marine Corps installations. In FY13, a truncated version of this program—called “Zebras Lite”—was performed on seven Marine Corps installations. These performances were funded by the Department of the Navy (DON) Sexual Assault Prevention and Response Office (SAPRO).

Process/Procedural Upgrades and Efficiencies

The following initiatives have been implemented within the last three years to enhance SAPR prevention efforts and to promote individual values and character.

Delayed Entry Program (DEP) – “Welcome Aboard Package”

In addition to the “Whole of Character” training detailed above, all new members of the DEP receive a “Welcome Aboard Package” at the time of acceptance for enlistment into the Marine Corps. This packet is geared toward all new members and their families. In addition to a booklet and video about the command, sexual assault wallet cards are included that outline the DEP member’s responsibilities for reporting of any incidents, bystander intervention, and acceptable conduct and reporting.

Recruiter Screening and Training

A Marine’s career begins with the recruiter. Although all Sergeants through Master Sergeants are eligible to be assigned or to volunteer to be a recruiter, the screening narrows down the selection considerably: Of the 9,050 Marines screened annually, only 1,800 Marines are assigned to Recruiting Class. The screening process ensures that when a Marine is screened for recruiting duty, any history of activity that would put the recruit at risk would immediately disqualify the recruiter from the duty. This process

includes a records review of evaluations/fitness reports, nonjudicial punishments, courts-martial, alcohol consumption, drug involvement, and family advocacy issues. It also includes medical screening, to include a full mental health screening, and interviews with the Commanding Officer and senior enlisted leader. In addition, all selected must have a background check and be checked against the National Sex Offender Registry.

After graduating from Recruiters School and being placed on recruiting duty, the recruiter receives “Whole of Character” training. In addition, all recruiters receive an “Ethics Package” at Basic Recruiters School (BRC) at MCRD San Diego. This formal course of instruction deals with the Marine Corps core values of honor, courage, conduct, and commitment, and outlines the following:

- Relationship restrictions between the recruiter and the recruit
- Two-person integrity policy (detailed under the “Best Practices/Innovations” section below)
- Fraternalization
- Sexual harassment
- Sexual assault
- Alcohol issues and usage

Alcohol Sales Restrictions

Alcohol continues to be a factor to incidents of sexual assault, with roughly half of all reports of sexual assault in the Marine Corps involving alcohol in some way. In August 2013, the Commandant released a memo that details new restrictions pertaining to the sale of alcohol aboard Marine Corps installations. These changes were implemented to support SAPR initiatives and promote good health. They include:

- Removal of distilled spirits—or liquor—from all sites designated as Marine Marts adjacent to barracks.
- Alcoholic beverages to be sold only from 0800 until 2200 in all Marine Corps exchanges.
- Floor space dedicated to the sale and display of alcohol will be limited to no more than 10 percent of total retail space in stores not considered a package store.
- Alcohol and displays will be relocated to the sides or rears of exchanges, farther from main entrances and sections used by underage patrons; in-store marketing will be limited to those sections.

In addition, a data call was released in September 2014 requiring verification that all Marine Corps employees (employed 30 days or longer) who sell or serve alcohol to patrons for immediate consumption on premises have attended and successfully passed the approved Responsible Alcohol Service Training. Currently, the approved training program is ServSafe Alcohol certification program by the National Restaurant Association. In addition, in Okinawa, the Controlling Alcohol Risks Effectively (CARE) program by the American Hotel & Lodging Educational Institute has been approved for training.

Enhanced Barracks Oversight

In September 2013, at the General Officers Symposium, the Commandant called for several new initiatives pertaining to the barracks. He cited several behavioral problems as the reasoning behind these changes, mentioning specifically the issues of sexual assault, hazing, alcohol misuse, fraternization, and failure to maintain personal appearance standards. These initiatives included:

- Sergeants and Corporals will return to the barracks to provide leadership to the maximum extent possible. This policy change was made in 2011, with the Commandant saying it was necessary to save money and put the Corps' new, impressive bachelor enlisted quarters to full use.
- Senior officers, staff NCOs (SNCOs), and NCOs will be in and out of the barracks regularly, especially between 2000 and 0400.
- Company-grade officers will be assigned as officers on duty and SNCOs will be assigned as staff officers on duty. All Marines on duty will be required to wear service uniforms, either Bravos or Charlies, depending on which uniform is in season.
- Two NCOs will be on duty per barracks, and a firewatch will be conducted on each floor of each building.
- Television and video games will not be allowed in the watchstander's place of duty. They must be out and about, and not behind a desk.

Best Practices/Innovations

Ethical Discussion Groups (EDGs)

Based on the success of the six video-based EDGs that were implemented in FY12 as part of All Hands training, eight additional EDGs were developed in 2014. Four were distributed for Corps-wide use in September 2014. The remaining four will be incorporated into trainings targeting leaders at various levels. The EDGs enhance Marine Corps prevention training efforts, incorporating bystander intervention and teaching Marines how to properly respond if a sexual assault occurs. Each EDG targets a specific audience, from junior Marines to leadership, and relates to the targeted audience's level of responsibility and knowledge. Using realistic scenarios that depict incidents surrounding a sexual assault, EDGs allow Marines to think about how they would act in similar situations, preparing them to intervene and respond appropriately in real life. After watching an EDG video, Marines participate in small groups that enable candid, nonjudgmental discussions and serve to dispel myths and misconceptions about sexual assault.

In FY14, one of the EDG videos titled "The Gunny" received a bronze Telly Award. The Telly Award is an industry award for creative excellence honoring outstanding video and film programs. Winners represent the best work of many national and regional advertising agencies and production companies. "The Gunny" recounts a scenario in which a female Lance Corporal tells her Gunnery Sergeant that she was raped by another Lance Corporal the previous night. Rather than putting her in contact with a UVA, the Gunnery Sergeant takes it upon himself to handle the situation the wrong way.

After obtaining details about the incident from the victim, including the name of the alleged offender, the Gunnery Sergeant sends the victim home and angrily confronts the offender, eventually taking him to the Provost Marshal's Office (PMO). Later, the Sergeant Major gets wind of how the Gunnery Sergeant handled the situation and asks to speak with him. While the Sergeant Major praises the Gunnery Sergeant's initiative, he corrects his judgment on how to handle reports of sexual assault and goes through the proper protocol for such situations.

Policies at the Marine Corps Recruit Depots

Recruit Training is structured so that our young recruits have positive role models to emulate during the important, formative period of their introduction to the Marine Corps, which is essential for their development into young Marines. Battalion Commanders also play an integral role in this process through not only their discussions with the recruits but also in their actions. There are female instructors throughout the various aspects of recruit training to include: Marine Corps Martial Arts Instructors, Academic Instructors, Marine Corps Instructors of Water Survival, senior enlisted female Marines within Support Battalion, and female drill Instructors within Female Rehabilitation Platoon. There are also female drill instructors in the Receiving section, who are responsible for receiving all recruits (male or female), and ensuring they are prepared to start training at the end of receiving week. These female instructors are placed throughout the various facets of training to provide a positive role model for both male and female recruits to observe and interact with.

All recruits are required to travel in pairs, and there is no alcohol or opposite gender visitors allowed in the recruit barracks, where there is someone on watch at all times. Permanent personnel barracks are regularly toured by the command duty officer and officer of the day, especially during hours of darkness and high activity. This continuous presence serves to mitigate high-risk situations that have the potential to deteriorate into misconduct. Even though alcohol and opposite gender visitations are allowed in permanent personnel barracks, they are strictly regulated through frequent barracks inspections and visiting hours supervised by the barracks duty.

In addition, recruits making a report for a sexual assault that occurred prior to their enlistment are tracked. Because MCRD Parris Island is the only installation that trains female enlisted recruits, prior-to-service reports at this recruit depot tend to be higher and have only increased with the added training focus on SAPR resource awareness. To handle such a large case load, MCRD Parris Island increased the number of UVAs per battalion and requested additional counselors be available for sexual assault victims. Being that most MCRD Parris Island victims report during recruit training, having UVAs assigned as drill instructors enables a measure of how the recruit is doing and follow up as much as possible without distracting from the overall recruit training.

To further ensure that recruits are protected within the safe training environment, drill instructors, like recruiters, are subject to a very rigorous selection process, which includes a background check and being checked in the National Sex Offender Registry. MCRD Parris Island also assigned UVAs specifically to the Drill Instructor School and

they provide a very in-depth brief which explains the policies set forth so that if a recruit comes to them during recruit training and starts to tell them something related to sexual assault, they learn how to stop that recruit from disclosing that information and how to conduct a warm hand-off to a UVA or SARC so that the restricted reporting is still available.

Two-Person Integrity Policy for Recruiters

Marine Corps Recruit Command (MCRC) FROST Call 033-13—“Safeguarding recruiting activities involving recruiters and members of the opposite sex”—was published 19 July 2013 to help ensure that Marines, prospects, applicants, DEP members, and officer candidates are appropriately safeguarded during all portions of the Marine Corps recruitment process. Because isolated contact was one of the most common factors in a number of sexual misconduct allegations and incidents involving recruiting personnel and local citizens, the policy calls for the inclusion of a third party between recruiting personnel and prospective recruit prospects, applicants, candidates, and members of the DEP of the opposite sex. These recruiting activities include, but are not limited to: home visits, appointments, sales interviews, applicant processing, transportation, and any DEP activities. A third party includes any adult; another Marine (to include a Marine Boot Camp graduate on leave or Marines serving in the Recruiter Assistance Program); or other applicant, DEP member, or candidate.

Publication of all Courts-Martial Results

In July 2013, the Marine Corps legal community began consolidating results of trial and publishing them on the *www.marines.mil* website to serve as an educational tool and deterrent. The results are published on a monthly basis, and demonstrate that the Marine Corps holds offenders appropriately accountable.

Reawakening Campaign

In October 2013, the Commandant launched the Reawakening campaign, which returns and re-strengthens our focus on the timeless foundations and ethos of the Marine Corps. The Reawakening campaign was designed to ensure a smooth transition from more than a decade of continuous combat to a return to garrison and the primary role as a crisis-response force-in-readiness. As such, the campaign focused on the foundations of discipline, faithfulness, self-excellence, and concerned leadership especially with regard to NCOs: 42% of the active duty Marine Corps hold the rank of Lance Corporal or below, making the Marine Corps easily the most junior of all military services.

Positive Trends

Command Climate

The Marine Corps implemented the Commandant of the Marine Corps (CMC) Command Climate Survey in July 2013 as a supplemental survey to the existing Defense Equal Opportunity Management Institute (DEOMI) Organizational Climate Survey (more information about these surveys can be found in the LOE5: Assessment section). According to the results of the CMC Command Climate Survey compiled between July 2013 and May 2014, Marines agreed most with the following five statements pertaining to command climate:

1. Leaders/supervisors in my unit have made it clear that sexual assault is criminally unacceptable behavior.
2. Leaders/supervisors in my unit have set a command climate wherein sexual harassment is not tolerated.
3. My unit provides a safe environment against sexual assault.
4. My unit would take appropriate action in the case of a hazing allegation.
5. My unit provides a retaliation-free environment for those who report misconduct (e.g., sexual assault, sexual harassment, hazing, or fraud/waste/abuse).

Bystander Intervention

With bystander intervention being a central focus of all SAPR programs, the 2012 Workplace and Gender Relations Survey (WGRS) shows that 93% of Marine Corps women and 88% of Marine Corps men indicated that they would actively intervene in a situation at risk for sexual assault—a 2% and 11% increase, respectively, over 2010 WGRS results.

In addition, the latest available DEOMI Command Climate Snapshot (August 2014) indicates that 88% of Marines who observed a situation in the last 12 months that they believed was, or could have led to, a sexual assault actually took some type of action to intervene. The top three responses for junior enlisted Marines were:

1. I created a distraction to cause one or more of the people to disengage from the situation. (Distract)
2. I confronted the person who appeared to be causing the situation. (Direct)
3. I told someone in a position of authority about the situation. (Delegate)

The top three responses for NCOs were:

1. I stepped in and separated the people involved in the situation. (Direct)
2. I asked the person who appeared to be at risk if they needed help. (Direct)
3. I created a distraction to cause one or more of the people to disengage from the situation. (Distract)

Contact Crimes / Penetrating Crimes

While our prevention efforts have focused on leadership engagement, command climate, and bystander intervention, they also aim to reduce stigma and educate Marines about what constitutes sexual assault. According to the DoD Annual Reports for FY12 and FY13, reports of penetrating crimes decreased from 67% to 55%, while reports of contact crimes increased from 33% to 45%. The Marine Corps will further assess this encouraging development, which may shape the way for future analysis, suggesting that Marines are more aware of criminal sexual behavior, recognize it as a serious crime, and report it before it potentially escalates.

Way Ahead

According to the CMC Command Climate Survey, Marines disagreed most with the following five statements:

1. Alcohol abuse is a problem in my unit.
2. My unit is characterized by a high degree of trust and internal cohesion.
3. Leaders/Supervisors in my unit set aside regular time for coaching and counseling.
4. Money, supplies, and equipment in my unit are well-managed and there is a high degree of accountability.
5. Leaders/Supervisors in my unit know the professional and personal goals of their Marines and Sailors.

All Marine Corps prevention efforts continue to emphasize leadership engagement, which would help to address the above concerns of Marines. The Marine Corps will continue its SAPR Campaign Plan and the Phase II Addendum, which includes several tasks pertaining to the role of leadership, including supporting the further development of the Marine Corps Leadership Development Program, the assigning of additional female drill instructors at the MCRDs and female Marine combat instructors at the Schools of Infantry. Further research will be conducted to identify more effective training approaches, such as the Virtual Experience Immersive Learning Simulation (VEILS) model, and how best to apply the Centers for Disease Control and Prevention's social-ecological model—a proven framework for prevention—to the unique, Commander-centric societal structure of the Corps.

In addition, the expansion of the Headquarters Marine Corps (HQMC) SAPR Branch in FY15 will add more research and prevention subject matter expertise to implement a more comprehensive approach to preventing sexual assault. These efforts will focus on validating the effectiveness of existing initiatives and protecting vulnerable Marines from high-risk situations. Prevention efforts will consider all Marine populations (bystanders, victims, and offenders) in order to fully understand and interrupt the chain of an offender's actions, prior to an incident of sexual assault. HQMC SAPR will also increase collaboration with other Marine Corps programs to strategically address associated behaviors, including sexual harassment as a possible precursor and substance abuse.

2. LOE 2—Investigation

As the DON Military Criminal Investigative Organization (MCIO), NCIS is tasked with investigating all reports of sexual assault. Timely and thorough investigations are vital to responding to sexual assault, reassuring victims that their voices were heard and keeping them engaged in the process so that justice can be delivered appropriately. These principles are contained in the Naval Criminal Investigative Service (NCIS) message of "Operational Excellence," which permeates throughout all NCIS investigative disciplines and has been a consistent message to field and headquarters components.

In June 2012, NCIS began implementing its Adult Sexual Assault Program (ASAP) model in support of the Special Victims Capability (SVC) initiative. The ASAP model provides distinct and recognizable groups of specially trained NCIS special agents and personnel to investigate SVC-related offenses, which include the following: child abuse

(involving sexual abuse and/or grievous bodily harm), domestic violence (involving sexual assault, and aggravated assault with grievous bodily harm), and adult sexual assaults. Upon receipt of a sexual assault report, ASAP teams will employ a surge response to complete the investigative activity in a timely manner, with the intent of providing more rapid delivery of the investigative package to the convening authority. The ASAP initiative also includes early engagement with legal and victim advocacy personnel.

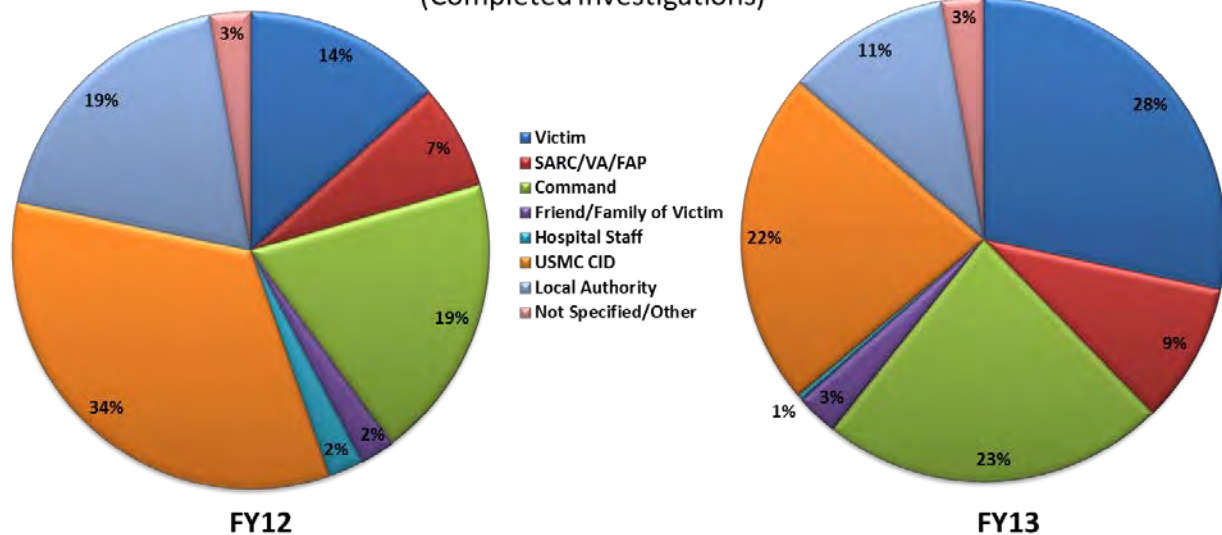
ASAP teams are located in the large fleet concentration areas where the volume of sexual assault reports is the greatest. Currently, NCIS has established ASAP teams in the following locations:

- Camp Lejeune, NC (established June 2012)
- Norfolk, VA (August 2012)
- Okinawa, Japan (September 2012)
- Camp Pendleton, CA (October 2012)
- Bremerton, WA (March 2013)
- San Diego, CA (April 2013)
- Yokosuka, Japan (August 2013)

ASAP is in the planning stages for Hawaii, the National Capital Region, and the Jacksonville/ Mayport Region. In smaller and remote NCIS locations where ASAP teams are not present, the training of agents to the ASAP standard is ongoing.

NCIS agents are integrated with judge advocates (JAs), VAs, medical, and other skilled professionals assisting special victims. NCIS agents are required to engage with trial counsel to discuss specific investigation development and trial preparation. Additionally, NCIS agents interact with the SARC, VA, the U.S. Navy Bureau of Medicine and Surgery (BUMED), and other stakeholders as needed and during established case management group (CMG) meetings and Sexual Assault Response Team (SART) meetings. An NCIS agent's job involves developing collaborative relationships with many different stakeholders. As the below charts demonstrate, several different parties initiate reports of sexual assault and it is imperative that all the stakeholders have confidence that NCIS agents and investigators will investigate all claims of sexual assault with diligence and without prejudice. In addition, the below charts show how the reporting to NCIS has positively increased from FY12 to FY13 in the "front-line" areas of victim reporting, command reporting, and SARC/VA/Family Advocacy Program (FAP) reporting.

How NCIS Was Notified of Unrestricted Reports (Completed Investigations)



Source: FY12/13 DoD Annual Reports

Training Enhancements

While many of the skills necessary for the investigation of special victim cases are the same as those needed for other criminal investigations, such as preserving crime scenes, collecting evidence, and testifying at trial, SVC offenses require additional proficiencies, advanced training and techniques, and heightened sensitivity to victims' needs. The MCIO investigators assigned to the SVC are specifically trained to respond to and investigate all SVC covered offenses.

The selection of investigators for the SVC is contingent on their completion of specialized training. This training, at a minimum, covers the following competencies:

- Legal jurisdiction for conducting criminal investigations;
- Elements of proof for SVC covered offenses;
- Crime scene management;
- DNA collection requirements;
- Identifying, obtaining, preserving, and transporting forensic evidence;
- Rights of crime victims and available victim and witness assistance, support, and counseling services available;
- Sensitivities associated with child abuse victims, including but not limited to interviewing techniques, Sexual Assault Forensic Examinations (SAFEs), risk factors, and protection orders;
- Sensitivities associated with victims of sexual assault, including but not limited to interviewing techniques, impact of trauma, SAFEs and medical treatment, counseling, victim support, establishing victim trust and transparency, impact of alcohol and drugs, and protection orders; and
- Sensitivities associated with victims of serious domestic violence, including but

not limited to interviewing techniques, impact of alcohol and drugs, protection orders, restricted reporting for domestic violence, and dynamics of domestic abuse.

After individual investigative agents have completed all the required training they are certified by their respective MCIO to conduct investigations meeting the SVC criteria. Specific training programs are detailed below.

Adult Sexual Assault Response (ASAP) Training

All NCIS special agents assigned to an ASAP team have completed the 10-week Criminal Investigator Training Program (CITP) and Special Agent Basic Training Program (SABTP) at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. These programs include the training of interview and interrogation techniques, which are central to the success of any investigation. Approximately 75 hours are dedicated to interview and interrogation techniques: 25 hours during CITP and 50 hours during SABTP.

Additionally, ASAP special agents and first line supervisors must attend the Advanced Adult Sexual Violence Training Program (AASVTP). The AASVTP is a two-week advanced course collaboratively created by NCIS and Army CID. Within the AASVTP, students receive advanced training on victim and offender dynamics as well as interview techniques designed for trauma survivors. Students conduct case reviews and “table top” exercises facilitated by nationally recognized experts and military senior trial counselors. Students must complete a comprehensive examination at the conclusion of the course.

Similar to ASAP, NCIS special agents responsible for investigating domestic violence or child abuse offenses must attend the NCIS Advanced Family and Sexual Violence Training Program (AFSVTP) at FLETC. The AFSVTP is a two-week advanced course focused on domestic violence and child abuse. Experts from the law enforcement field, social services, and DoD instruct students on victim and offender dynamics, domestic violence and child abuse injuries, risk assessments, stalking, and other associated topics. The AFSVTP curriculum includes case studies and table top exercises.

NCIS special agents who have attended AASVTP and AFSVTP must attend the one-day Trial Component Training Program (TCTP). The TCTP is a joint learning environment where special agents and prosecutors discuss topics such as enhancements to improve investigations, trial preparation, and courtroom testimony. TCTP is held locally and delivered by the regional senior trial counsel.

From 14–15 April 2014, members from the NCISHQ Family and Sexual Violence Program, NCIS Training Division, and the USN Trial Counsel Assistance Program conducted a curriculum review of the US Army’s Special Victims Unit Investigations Course (SVUIC) and determined the mandated SVC curriculum (DoDI 5505.18 and DoDIG DTM 14-0002) could be covered in a one week course of instruction. This one week course will be more cost effective than the SVUIC and less impacting on the absence of NCIS personnel and USN/USMC JAGs from their primary duties. NCIS has

identified this course as the Advanced Adult Sexual Assault Investigations Training Program (AASAITP) and held two courses at FLETC in FY14. The NCIS goal is to train all personnel who could potentially respond to an allegation of sexual assault or those who supervise, manage or inspect a sexual assault investigation to attend the AASAITP.

Process/Procedural Upgrades and Efficiencies

Enhanced NCIS Oversight/Inspection Processes

NCIS launched the Staff Assistance Visit (SAV) Program to assess field performance and adherence to Operational Excellence, focusing on investigative quality, timeliness, and compliance with NCIS policy and standards. SAVs are initiated by the NCIS Deputy Director at his/her discretion. In addition, the Quality Assurance Visit Program is a program in which the NCIS geographic executive assistant directors for Atlantic, Pacific, and Global Operations conduct regularly scheduled visits to field offices to assess investigative quality, timeliness, and compliance with NCIS policy and standards.

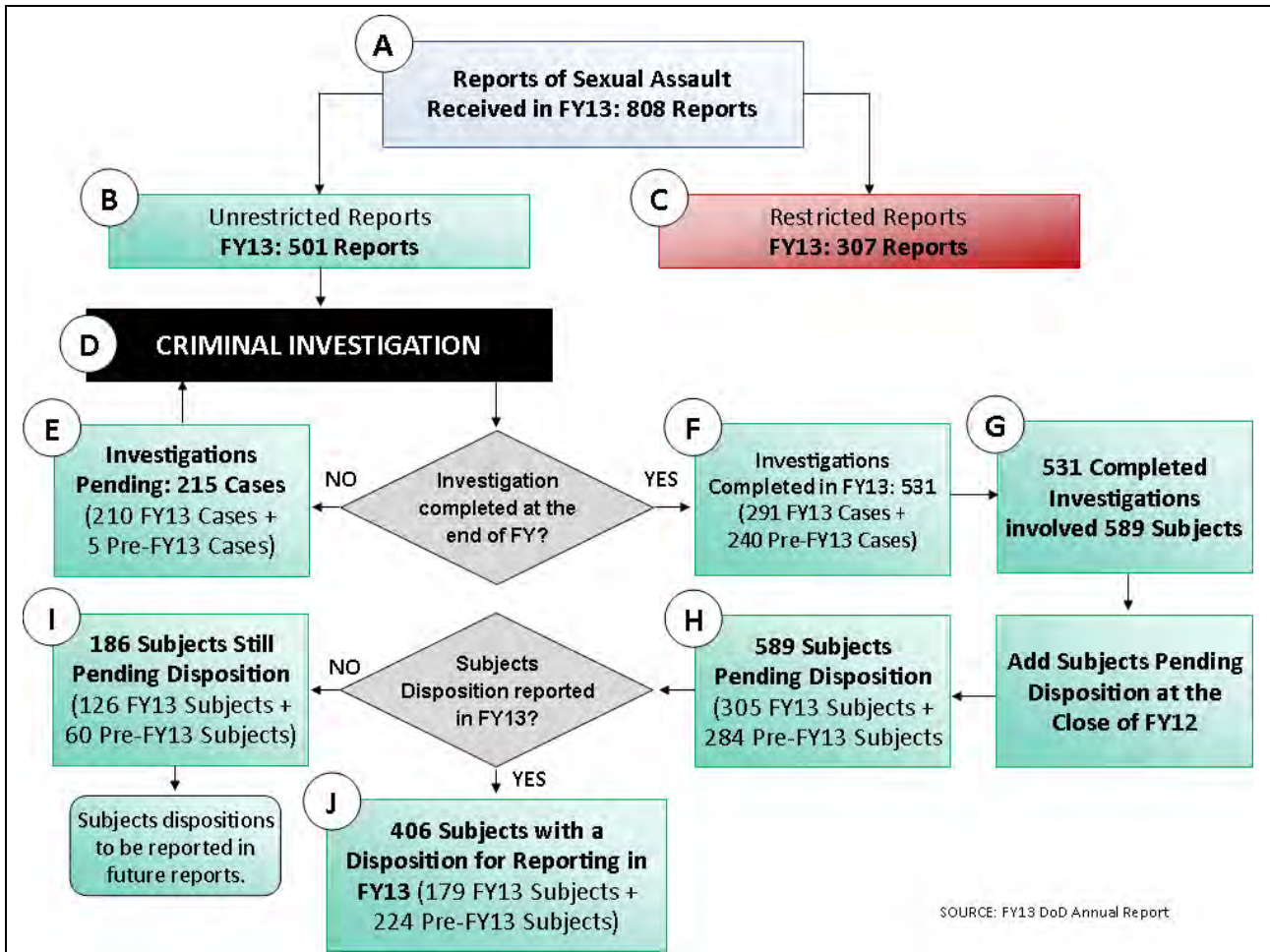
Embedded CID Agents in Complex Trial Teams

USMC CID agents are embedded within each Regional Trial Counsel's (RTC) office and are responsible for providing subject matter expertise and trial support to the RTC's complex trial teams. These agents support a broad spectrum of criminal incidents, to include sexual assault, directly relating to the preparation of the government's case for trial and sentencing by court-martial.

Positive Trends

Completed Investigations

The implementation of the ASAP concept has shown an overall decrease in the time it takes to complete investigations. In FY13, initiated investigations increased 50% and completed investigations increased 69%. Therefore, not only did NCIS drastically increase their caseload; they improved their completion rate. Many factors made this effort possible. NCIS streamlined the Family and Sexual Violence (F&SV) program model and created investigative teams which expedited the timeline of the investigations. Secondly, NCIS was able to increase manning and hire additional special agents and investigators to respond to the increased demand. Lastly, NCIS re-trained all agents and investigators assigned to the F&SV program such that they could carry out the new program model. The below flow chart details the end-of-year status of the 501 unrestricted reports of sexual assault in FY13.



Way Ahead

Crime Reduction Campaign

NCIS introduced the Crime Reduction Program (CRP), a community outreach initiative designed to address criminal threats affecting the Marine Corps and Navy. On a quarterly basis, the CRP dedicates its efforts to increasing education and awareness of military members and their dependents to deter the precursors of crime and victimization. The CRP is led by NCIS and includes both law enforcement and community service partners within the DON. On several occasions, the CRP has focused on sexual assault awareness. During these three-month campaigns, NCIS representatives visit commands to provide sexual assault awareness briefings. The table below illustrates the CRP's efforts to date.

NCIS CRP Sexual Assault Awareness Briefing Program

Fiscal Year	Number of Briefs	Marine Officers	Marine Enlisted	Navy Officers	Navy Enlisted	Other Services	Civilians	Number of Personnel
2011	670	980	9,576	2,423	22,187	6,617	1,691	43,474
2012	806	11,138	21,374	19,231	52,983	16,524	4,654	125,904

2013	588	1,206	12,803	3,480	15,127	2,061	2,357	37,034
2014*	996	2,336	18,547	7,065	35,717	18,102	7,955	89,722

**Through Q3*

Due to the demand, sexual assault awareness campaigns will occur once a year with the next iteration being from 1 January 2015 through 31 March 2015. NCIS' yearly campaign precedes the month of April which is the nationally recognized Sexual Assault Awareness Month. In concert with the 21st Century Sailor and Marine Initiative, the goal of this campaign is to prevent sexual assaults and highlight bystander action and intervention.

3. LOE 3—Accountability

Since October 2011, the Marine Corps legal community has focused its efforts on three main areas to combat sexual assault: (1) improving the delivery of military justice services to Commanders and Marines, (2) increasing education efforts to Commanders and Marines on the legal consequences of sexual assault, and (3) establishing the Marine Corps Victims' Legal Counsel Organization (VLCO). By improving its legal support procedures, methods of training, and organization, the Marine Corps has ensured that both victims and subjects understand the legal process and their legal rights, and receive highly-trained and experienced counsel to represent them.

Legal Reorganization – Creation of Regional Centers of Excellence

In 2012, the Commandant directed the reorganization of the Marine Corps legal community. This critical development raised the quality and consistency of legal support across the Marine Corps, particularly in complex trial practice, which includes sexual assault cases. The reorganization realigned the provision of legal support from independent, decentralized legal offices to regional legal centers structured to provide a full range of legal services. It also removed staff judge advocates from the legal services offices and positioned them to focus on providing legal advice to Commanders. Relevant to the Marine Corps fight against sexual assault, the reorganization resulted in enhanced military justice capability for complex and special victim cases; better and more frequent training; process improvements that allow for better supervision and integration of prosecution teams; and the ability to communicate effectively among the regional trial offices regarding best practices and lessons learned.

Background

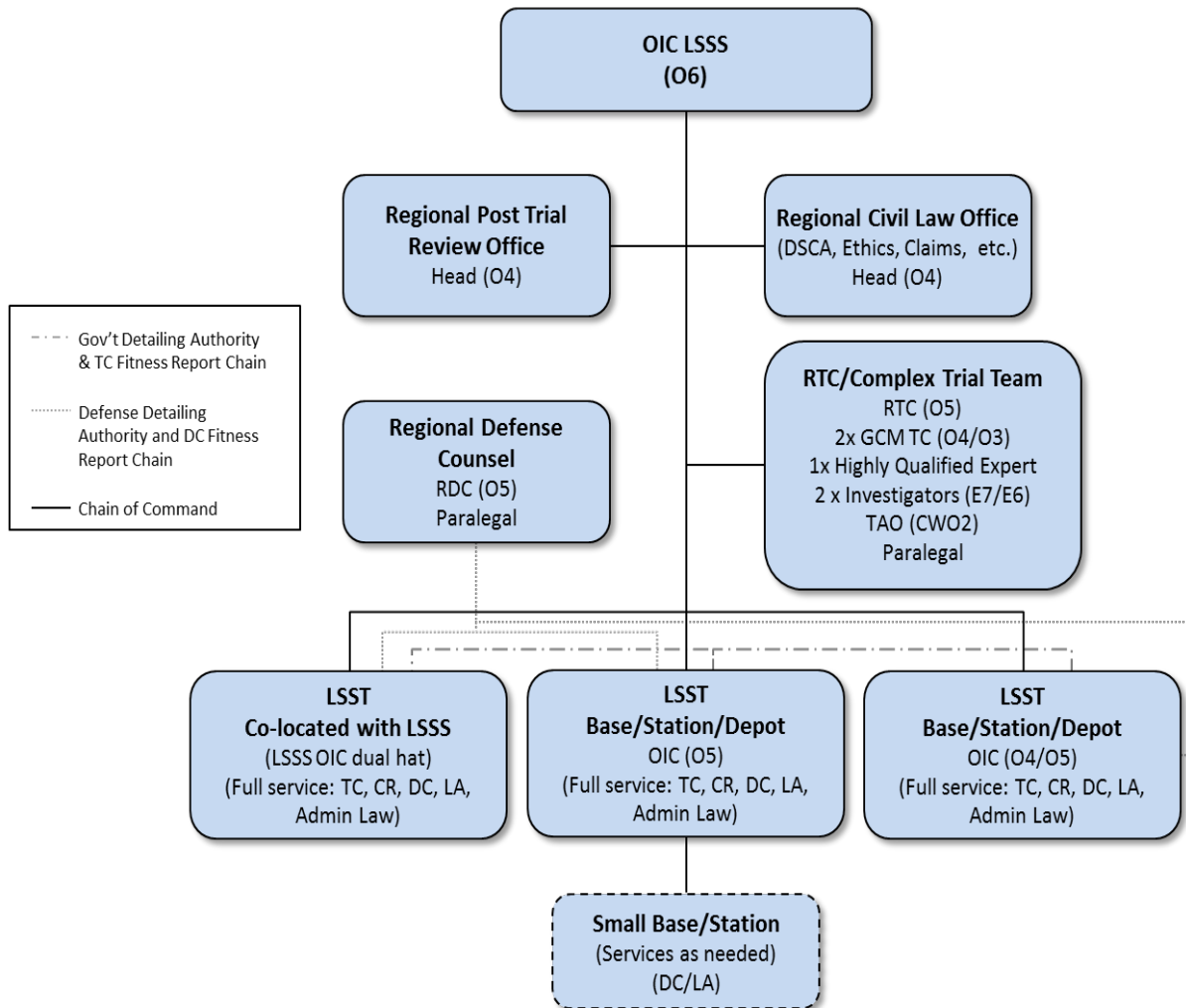
The most significant change from the reorganization was actually an extension of the Legal Service Support Section (LSSS) doctrine adopted in the 1980s. Before the 2012 reorganization, three LSSSs, organized within the Marine Logistics Groups, provided legal services for all operational and supporting establishment commands aboard the three main Marine Corps installations. Elsewhere, legal services to both operational and supporting establishment commands were provided by law centers often led by command staff judge advocates who provided both command legal advice and legal services. Although the LSSSs were originally formed to provide economies of scale in the provision of legal services beyond the organic capability of the command SJA, LSSSs and law centers within the same geographical areas operated independently of

each other, and limited themselves to their own organic capability to address whatever cases arose, regardless of complexity. In addition, the decentralized nature of the LSSSs and law centers did not allow for sharing of information, best practices, or standardization of procedures.

The reorganization replaced the part-LSSS/part-law center structure with four regional LSSSs led by experienced judge advocates in the rank of Colonel. The LSSSs are now part of Marine Corps Installations Command (MCICOM) and align with the four MCICOM regions. Each LSSS is responsible for providing legal services throughout a geographic Legal Services Support Area (LSSA) and across operational and supporting establishment commands. The LSSS for the National Capital Region is also tasked with supporting Marine Forces Reserve units, regardless of location. The LSSSs are composed of subordinate Legal Services Support Teams (LSSTs) and a regional office that consists of an Administrative Support Office, a Regional Trial Counsel Office, a Regional Post-Trial Review Office, and a Regional Civil Law Office. In addition, each LSSS administratively supports a Regional Defense Counsel Office that reports directly to the Chief Defense Counsel of the Marine Corps. The LSSSs do not provide legal advice to Commanders. Instead, staff judge advocates, who are positioned at the command level, are responsible for providing independent legal advice to their Commanders.

Execution and supervision of legal services were regionalized to balance the requirements for: immediate functional supervision; performance to uniform standards; accountability and transparency; peer-to-peer mentorship; economies of scale; manageable and flexible MAGTF sourcing solutions; historical demand; installation demographics; and responsive Commander-centric support. The LSSSs effectively create regional centers of excellence by concentrating litigation and other support assets within one organization that can be employed throughout the region. The regional centers of excellence allow assignment of the right trial counsel on the right case, ensuring important cases such as sexual assaults are vigorously and effectively prosecuted.

New Organizational Structure of Marine Corps Legal Services Support Sections



Enhanced Prosecution Capability

The legal reorganization ensures that each regional LSSS has the depth and breadth of legal expertise to prosecute sexual assault cases when appropriate. A pillar of the enhanced prosecution capability is the Regional Trial Counsel (RTC) Office, which assists the LSSS Officer in Charge (OIC) by providing training and supervision of Marine Corps trial counsel and monitoring resource allocation, allowing for a surge of resources to special victim cases, including sexual assault. The RTC Office is composed of a Lieutenant Colonel RTC, civilian Highly Qualified Experts (HQE), complex trial counsel (CTC), and other trial support resources such as a investigators from CID, and dedicated administrative support in the form of a legal administrative officer and paralegal.

The RTC is a Lieutenant Colonel with significant litigation experience who is responsible to the LSSS OIC for the overall provision of trial services within the region. Complex trial counsel are experienced attorneys who leverage their expertise to coordinate complex trial teams customized by the RTC to the needs of the particular case. The CTCs

incorporate the HQEs, legal administrators, additional trial counsel, and the resident criminal investigators as needed to thoroughly develop their cases. The HQEs are all seasoned civilian prosecutors who bring decades of experience prosecuting felony-level cases and have prosecuted hundreds of contested trials, including sexual assault. The HQEs provide perspective, share best practices from the civilian community, work with victims, and assist Marine Corps trial counsel in case preparation. Additionally, CID agents provide an investigative capability to prosecutors to enable them to surge investigative efforts as necessary in complex cases.

The Marine Corps has received very positive feedback from trial counsel that work with the HQEs on a daily basis. By having the HQEs positioned within the regional LSSs, the trial counsel have ready access to these specialists to help develop trial strategies and provide relevant feedback on a day-to-day basis. The prosecution HQEs have provided analysis and assisted with case strategy in over 150 sexual assault cases. The Response Systems to Adult Sexual Assault Crimes Panel (RSP) studied the effectiveness of this program and recommended the “Staff Judge Advocate to the Commandant of the Marine Corps continue to fund and expand programs that provide a permanent civilian presence in the training structure for both trial and defense counsel.” The RSP cited these HQEs as adding perspective, base-level experience, continuity, transparency, and validity to military counsel training programs.

The criminal investigators and the legal administrative officer in the RTC office provide a key support role in complex prosecutions. Historically, a prosecutor was individually burdened with the coordination of witnesses and experts, the gathering of evidence, background investigations, and finding additional evidence for rebuttal, sentencing, or other aspects of the trial. These logistical elements of a trial proved even more demanding in a complex case. The presence of criminal investigators and the legal administrative officer allows Marine Corps prosecutors to focus on preparing their cases for the courtroom, without the additional administrative and investigative burden.

At the installation-level LSSTs, trial services are supervised by an experienced Major who is a specialist in criminal justice and is required to possess a Master of Laws degree with a specialty in criminal law. This experienced Major supervises the trial counsel within the LSST and coordinates assistance with the RTC Office when additional resources are required. Moreover, the senior trial counsel and the trial counsel at each LSST have access to the Trial Counsel Assistance Program (TCAP) (described below) within Judge Advocate Division, Headquarters, Marine Corps to answer any questions that may arise during the course of litigation.

The reorganization of the Marine Corps legal community properly positioned the Marine Corps military justice system to meet the recent increase in sexual assault and other complex cases. In order to reinforce these successes, the Marine Corps must continue to develop and maintain experienced judge advocates. The enhanced training discussed below has helped to increase the efficacy of the military justice response to sexual assault.

Training Enhancements

Leading up to the legal community reorganization, the Marine Corps established TCAP to serve as a hub for trial advice, training coordination, best practice development, and resource retention. Since then, the Marine Corps has also developed new training modules designed to leverage the benefits of the reorganization.

TCAP and DCAP

Since their inception, TCAP and Defense Counsel Assistance Program (DCAP) have provided regular assistance to all levels of trial and defense counsel from basic charging questions to complex assistance in cross examining expert witnesses at courts-martial. TCAP and DCAP also provide regular updates to the trial and defense counsel on appellate case law, provide sample motions and other legal resources, and coordinate trial and defense counsel training throughout the Marine Corps.

TCAP has fielded over 500 trial support questions since its inception, conducted training at over 40 different courses, and assisted with funding of over 60 training events. As an example of the type of assistance provided, in a recent sexual assault case involving four victims that were potential recruits in the Marine Corps, TCAP assisted the trial counsel in reviewing the evidence, developing a case strategy, and conducting a mock open and closing argument. During the course of the case preparation, TCAP noted that the trial counsel should highlight the training the accused received to serve as a Marine recruiter and develop evidence to contrast the accused's contact with the victims versus his contact with other male recruits to show how he singled out these individuals. Ultimately at trial, the government prevailed on the case and the accused received a sentence of 12 years confinement and a dishonorable discharge. During a debrief with the members, these facts were cited as crucial evidence in the members' deliberations.

This type of on-the-job training is critical to develop experienced counsel that can vigorously and effectively prosecute cases. TCAP also coordinates more formal classroom training through on-site training sessions and through the Naval Justice School (NJS).

Enhanced Special Victim Capability Training

TCAP has overseen a large increase in training in the last three years. Since 2011, the Marine Corps has significantly expanded the funding and approved courses available to assist trial counsel in understanding and prosecuting special victim cases from three courses available through NJS and TCAP, to over 20 courses available through NJS, TCAP, the National District Attorney's Association, the Department of Justice, National Advocacy Center, the Federal Law Enforcement Training Center, and the Army and Air Force JAG schools. In these courses, trial counsel focus on specific aspects of special victim cases, from working with victims to trial advocacy, understanding digital exploitation of children and child abuse, and partnering with victim advocates and agents from NCIS in investigating and prosecuting special victim cases. Marine Corps TCAP will continue to work with NCIS, our sister Services, the Department of Justice, and other national prosecution training organizations to provide the highest quality of training for

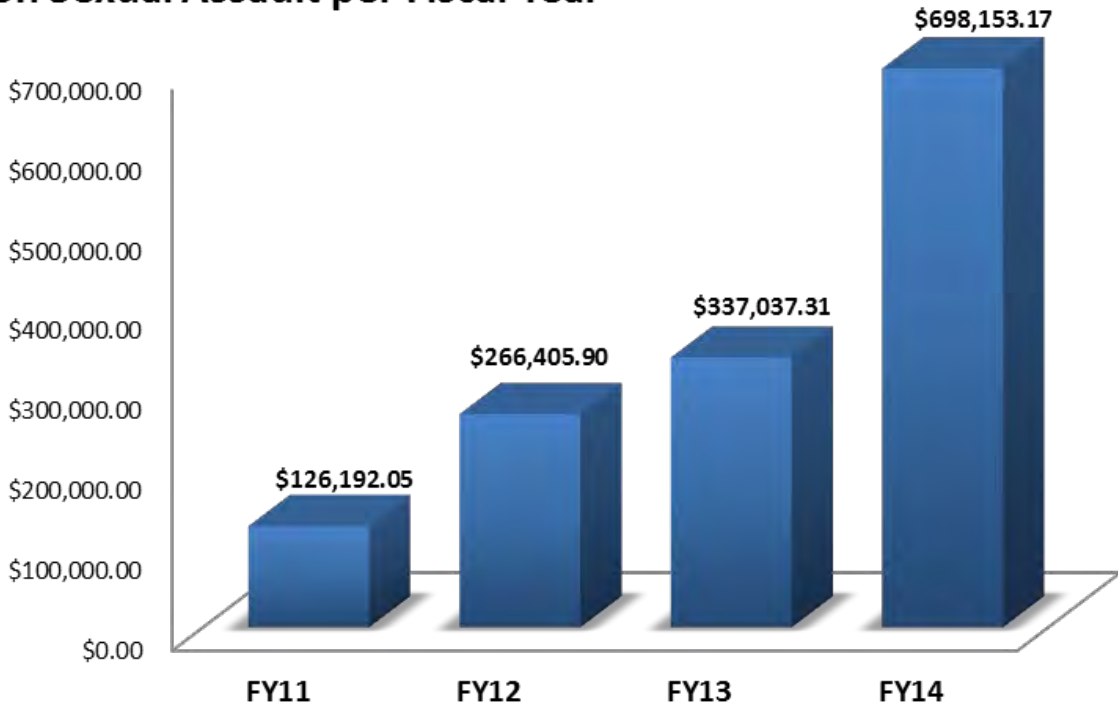
our trial counsel working with special victim cases and other special victim capable partners.

The Marine Corps Defense Services Organization (DSO), with the mission of delivering zealous, independent, and professional defense services to Marines and Sailors facing disciplinary action, oversees DCAP. Since 2011, DCAP has aggressively sought out and sent defense counsel to training courses designed to ensure DSO attorneys maintain the knowledge and experience necessary to provide successful representation despite sweeping changes in the manner the military prosecutes sexual assault cases when cases are referred to courts-martial. The DSO continues to attend service school training at NJS and the Army and Air Force JAG schools. The training from these service schools is bolstered by attendance at civilian training events sponsored by organizations such as the National Association for Criminal Defense Lawyers, Federal Public Defenders Association, Bronx Defenders Academy, National Criminal Defense College, and various other local and state public defender offerings. More specific training is provided through consultations with the Marine Corps criminal defense HQE. The Marine Corps DSO will continue to train its attorneys to the best extent possible, ensuring that Marine and Navy accused receive competent and effective representation.

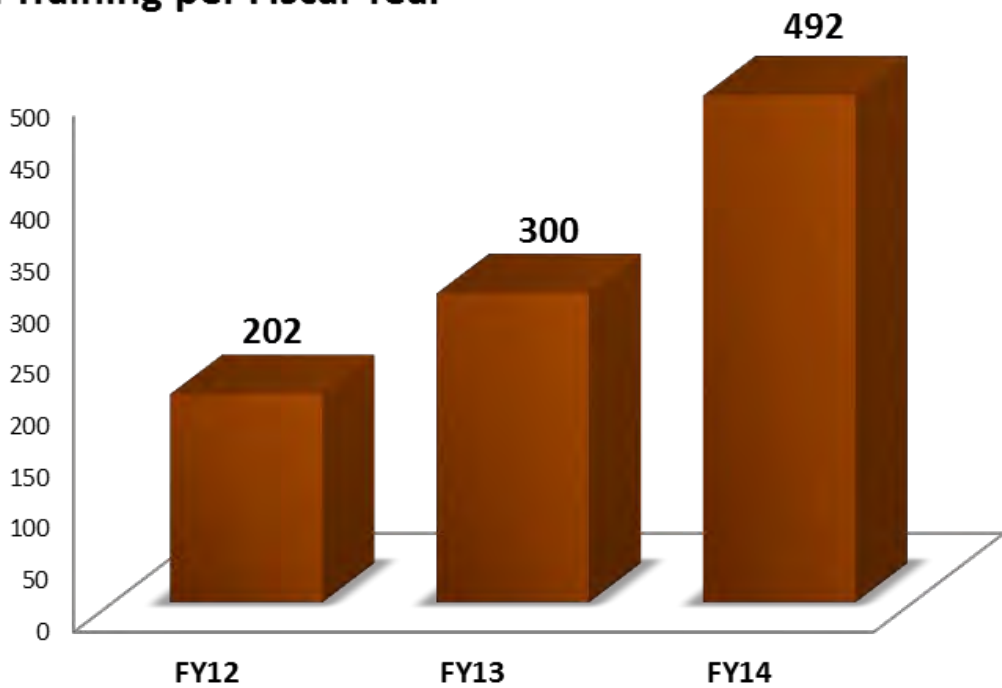
In addition to the nationally recognized training provided to Marine Corps trial and defense counsel, the Marine Corps implemented increased regional and local training standards by the regional and senior trial/defense counsel. As recorded in the updated Manual for Legal Administration, each regional supervisory counsel must provide for two days of training for all counsel within the region every quarter, and each senior supervisory trial or defense counsel must provide two one-day trainings each quarter. These trainings focus the counsel on how to leverage the additional special victim capabilities at their region and installation such as the family advocacy specialists, health care providers, child protective services, law enforcement officers, SARCs, VAs, and the local forensic testing facilities. They also instill the importance of ethical representation and the basic trial advocacy skills required for special victim cases.

The below charts show both the number of counsel trained for special victim capabilities (including Victims' Legal Counsel) and the level of funding the Marine Corps has committed to train our trial counsel, defense counsel, and VLC (FY14 only) in handling these complex cases.

Amount of Funds Expended to Train Marine Corps Legal Staff on Sexual Assault per Fiscal Year



Number of Marine Corps Personnel Receiving Sexual Assault Legal Training per Fiscal Year



Effective Online Training

The Marine Corps recently partnered with NJS to develop an online Trial Counsel Orientation for all new trial counsel in the Marine Corps. In the past, the Navy and Marine Corps conducted a Trial Counsel Orientation twice a year for all new trial counsel to help teach them the significant administrative responsibilities and unique ethical requirements of being a trial counsel. Because the course was only offered twice a year, many trial counsel would not attend this course until six months after they started their job, and some would miss the course entirely if their trial schedules conflicted with the course. Recognizing the limitations of in-person training, the Marine Corps and NJS developed an online course to teach the unique aspects judge advocates will face as trial counsel, including recent updates to the law from the FY14 NDAA. The course is easily updated and will ensure all trial counsel receive a baseline training upon their initial assignment in the billet.

Training for Commanders and Marines

The Marine Corps legal community has increased training and education of Marines regarding sexual assault to supplement broader SAPR programs. These legal efforts to confront sexual assault include increased training of senior leaders, participation in training of Marines, and increased communication concerning the results of courts-martial for educational and deterrent effect.

Senior Leader Training

The Marine Corps provides formal and informal legal training for senior enlisted leaders, Commanders, and General Officers. Formally, senior enlisted leaders are trained at the Senior Enlisted Course and the Sergeant Major Symposium on Military Justice, which includes an overview of the military justice process, the role of convening authorities in that process, unique sexual assault requirements, legal pitfalls such as unlawful command influence, and recent developments in military justice. Senior Commanders are similarly trained in these areas in the weeklong Commanders Course, and the senior officer course through NJS and The Judge Advocate General's Legal Center and School (TJAGLCS). The Marine Corps recently increased the focus on legal accountability at the Commanders Course from one hour to four hours to help Commanders understand the nuances of sexual assault cases. All of these courses have been modified to increase the focus on sexual assault, including educating these leaders about sexual assault myths, victimology, updates to UCMJ Article 120, and SAPR policies such as Sexual Assault Initial Disposition Authority (SA-IDA) and SAPR 8-Day Briefs.

Legal Community Training

Staff judge advocates provide daily advice and informal training to the Commanders and senior enlisted they serve, keeping those Commanders apprised of continuing developments and advising them on military justice matters as issues arise in disciplinary cases. The SJA to CMC provides annual training to staff judge advocates on updates in the law from the NDAA and other policy updates at the annual Legal Community Training. Staff judge advocates also receive instruction on emerging sexual assault tools and trends. This training ensures Commanders are provided the most accurate and up-to-date legal advice.

Lost Honor Accountability Training

In addition to the sexual assault training provided to judge advocates and Commanders, the Marine Corps developed a training video available to all Marines demonstrating how offenders will be held appropriately accountable for their actions. The video consisted of interviews with four convicted offenders describing their careers in the Marine Corps and how their criminal decisions to commit sexual assault ruined their careers and impacted their lives. The video effectively demonstrates how Marines will be held appropriately accountable when they take advantage of a vulnerable person, regardless of the surrounding circumstances. The Marine Corps is the youngest of the Services and has a high first-term turnover rate. Approximately 63% of the Marine Corps is age 25 or under, and 66% of Marines are serving in their first enlistment. This documentary provides these younger Marines with accounts from people who are similar to themselves in age and background. The goal of *Lost Honor* is to give Marines a different perspective about sexual assault and to force them to confront the seriousness of the crime in a different manner. The expected outcome of this training is to reduce incidents of sexual assault by deterring our younger population's more risky behavior and by learning from the actual criminal actions and real consequences of their peers.

The crimes in *Lost Honor* all involve alcohol-related sexual assaults, which comprise a significant portion of the sexual assaults. In FY13, alcohol was reported to be a possible contributing factor in just under half (48%) of all unrestricted reports of sexual assault in the Marine Corps. *Lost Honor* is designed to be viewed in small groups followed by frank and focused discussions led by small unit leaders using an approved discussion guide. The discussions will focus on the actions and decisions that may lead to life-altering negative consequences to both the victim and the offender. The documentary and discussion groups emphasize that Marines are accountable for their decisions and dispel the notion that alcohol is an excuse for criminal behavior.

Process/Procedural Upgrades and Efficiencies

The Marine Corps has instituted a number of process improvements designed to formalize and facilitate the higher standards for military justice practice. They include new detailing and qualification standards, heightened sexual assault disposition authority, an upgraded case management system, and standardization of trial forms. These improvements promote the proper detailing of counsel and the efficient handling of complex cases such as sexual assault.

Increased Detailing Standards

New rules for the detailing of trial counsel require minimum standards of courtroom experience, successful completion of an intermediate level prosecution of sexual assault course, and experience specifically as an assistant trial counsel in a sexual assault case before a trial counsel may be detailed as the lead attorney on a sexual assault court-martial.

The RTCs have overseen and personally detailed counsel and other trial support assets to all 113 sexual assault cases preferred in FY13, and all special victim cases in FY14. In exceptionally complex cases, an RTC has been detailed to the case. One example of

the success of the reorganization can be seen in a recent case involving the murder of a prostitute by a senior enlisted accused. Initially, the RTC detailed a complex trial counsel and an investigator to assist on the case. When it became clear that the complexity of the case exceeded the capacity of the single complex trial counsel, the RTC from another region was detailed to assist on the case. Both HQEs from the two regions consulted extensively on the case as well. Ultimately, the prosecution was successful and the accused received a life sentence and a dishonorable discharge.

Increased Counsel Qualification Standards

The Marine Corps recently increased the qualification standards for all judge advocates, including Article 32 investigating officers, handling special victim cases. With few exceptions, Article 32 investigating officers now must be field grade judge advocates that have experience handling special victim cases as a trial counsel or defense counsel. Additionally, detailing authorities must consider a number of factors when detailing counsel or investigating officers, including trial experience, education, training, and the individual characteristics of the case.

For special victim cases, the Marine Corps developed new guidance and qualification criteria for detailing counsel. The regional trial counsel must personally detail all counsel to special victim cases to ensure the right counsel is on the right case at all times. Before being detailed by the regional trial counsel to a special victim case, the trial counsel must be special victim qualified. This qualification requires the trial counsel to meet certain standards including time as a trial counsel, experience, training, prior qualification as a general court-martial trial counsel, and previous experience as an assistant trial counsel on a contested special victim case. Once the trial counsel meets the standards to be qualified as special victim capable, the regional trial counsel and the LSSS OIC will review their background and experience and ensure they are confident in the counsel's ability to work with victims of sexual assault and prosecute special victim cases. To achieve the highest quality prosecution, trial counsel assigned to sexual assault cases are required to consult the local civilian HQEs within 10 days of receiving a sexual assault case to ensure all avenues of investigation are explored and that they begin to develop an overview of the trial strategy. With these new requirements and consistent field grade supervision, trial counsel are well-equipped to handle the increasing complexity of sexual assault cases

Sexual Assault Initial Disposition Authority (SA-IDA)

Grade requirements for convening authorities to dispose of sexual assaults have also increased. In April 2012, the Secretary of Defense withheld initial disposition authority (IDA) in sexual assault offenses (SA-IDA)—including penetration offenses, forcible sodomy, and attempts to commit those crimes—to the Colonel/special court-martial convening authority (SPCMCA) level. The Commandant of the Marine Corps expanded SA-IDA to include all contact sex offenses, child sex offenses, and any attempts to commit those offenses. As a result, the Marine Corps now has a smaller group of more senior and experienced officers making disposition decisions for all sexual offense allegations and any related collateral misconduct.

Case Management System (CMS)

In 2011, the Marine Corps implemented a service-wide Case Management System (CMS) to track all cases from the initial receipt of a request for legal services until the completion of appellate review. CMS provides all levels of the Marine Corps increased visibility and accountability on the status of special victim cases. CMS also provides leadership the ability to analyze trends within the Marine Corps as a whole as to the quantity of sexual assault cases, the speed with which they move through the process, trends with these cases, and the final disposition at the trial level of the cases. Additionally, it provides necessary visibility for inbound cases to Navy and Marine Corps Appellate Review Activity and is flexible to accommodate expanding requirements as additional data is needed.

Standardized Forms

Within the past year, the Marine Corps has standardized its trial services forms. These forms are used both internally and externally to the legal community and ensure all reporting and requests for legal services are standardized regardless of where a Marine serves. This promotes consistency across the Service and reduces variances in information collected and reported and also minimizes the training time when Marines moves to a different region.

Best Practices/Innovations

The Marine Corps consistently seeks out best practices from our regional LSSSs, sister Services, and civilian counterparts, and implements them throughout the service. Over the past three years, the Marine Corps has standardized the tracking of criminal cases through CMS, standardized trial services forms throughout Marine legal offices, developed TCAP and DCAP to share best practices and innovations, added online training to better reach all counsel, and implemented many of the suggestions by the RSP. The legal community will use these best practices to implement the DoD policy and provisions of the FY12–14 NDAA's.

TCAP/DCAP

TCAP and DCAP enable the sharing of best practices and innovations among our trial and defense communities. Both TCAP and DCAP run secured websites where trial and defense counsel can discuss issues among themselves, share recent motions filed in their circuits, and discuss trial strategies among their communities.

The Marine Corps TCAP is closely aligned with Navy-Marine Corps Government Appellate Division that handles all appeals for the government on courts-martial. The government appellate division provides regular case analysis of appellate cases, feedback on trends noticed on appeal, and trial strategy for building an effective trial and appellate record for service-wide issues such as unlawful command influence. The government appellate briefs are available online for the trial counsel in order to help build and summarize recent case law in their motions. The government appellate division also provides regular classes at the TCAP training events to ensure trial counsel are aware of trends and relevant recent case law updates. In addition to the partnership with the government appellate division, Marine Corps TCAP and trial counsel are also

closely aligned with Navy TCAP. Marine Corps and Navy TCAPs provide joint training to Marine Corps and Navy trial counsel through NJS and monthly topical online seminars through Defense Connect Online. Additionally, Marine trial counsel have access to Navy TCAP's secured website, motions bank, and discussion boards to provide further resources on novel issues. Best practices and trial strategies are quickly shared through these interactions between both the Navy and the Marine Corps.

Finally, the four service TCAPs hold quarterly meetings to discuss best practices and innovations among the Services. This provides an avenue for the Services to discuss the differences in organization of the trial service communities, share effective training courses, and discuss effective trial strategies. The Marine Corps is committed to the further exchange of ideas and integration of our trial service communities.

Response Systems to Adult Sexual Assault Crimes Panel (RSP)

The FY13 NDAA created the RSP in order to conduct an independent review and assessment of the systems used to investigate, prosecute, and adjudicate crimes involving adult sexual assault and related offenses. The RSP issued its final report in June 2014 and the Marine Corps has moved swiftly to implement many of the recommendations from the Panel. First, the RSP recommended that the Marine Corps "continue to fund and expand programs that provide a permanent civilian presence in the training structure for both trial and defense counsel." The Marine Corps has already hired four civilian HQEs and plans to hire an additional HQE for both the prosecution and the defense in the near future. Additionally, the Marine Corps received over \$1.2 million in funds to enhance the Special Victim Capability and Special Victim Counsel programs. As the RSP advised, all requests for defense counsel resourcing and training were met at a net expense of over \$185,000, and the defense is hiring an additional HQE with these funds. As described above in the training section, the Marine Corps has also increased the availability of training and coordinated to share best practices through the service TCAPs and DCAPs.

Implementation of DoD Directive-Type Memorandum (DTM) 14-003, "DoD Implementation of Special Victim Capability (SVC) Prosecution and Legal Support"

In February 2014, consistent with Section 573 of NDAA for FY 2013, the Under Secretary of Defense for Personnel and Readiness issued a directive-type memorandum (DTM) to establish policy for implementation of an SVC across the DoD by providing a distinct, recognizable group of appropriately skilled personnel in prosecuting covered offenses. As described above, the Marine Corps implemented this requirement through the reorganization and increased counsel qualification standards. Significantly, the DTM also required the service to establish policies for the MCIO to notify the SVC prosecutor within 48 hours after the designation of an investigation as meeting SVC requirements. This policy has been implemented throughout the regions and SVC trial counsel throughout the Marine Corps regularly receive notice of these offenses. This ensures the SVC trial counsel can provide crucial input to the investigator on the type of evidence to begin gathering and what further investigation needs to be conducted. This also provides visibility of the case to the SVC trial counsel and allows the trial counsel to engage early

with the staff judge advocate and the convening authority as to the merits and viability of the case. Ultimately, the Marine Corps is confident that this is the correct policy and will lead to improved cases presented at courts-martial.

Implementation of National Defense Authorization Acts (NDAAs)

The Marine Corps, like all Services, has modified its legal processes and procedures in order to comply with the past three NDAAAs.

FY12 NDAA

The Fiscal Year 2012 NDAA rewrote the Article 120 sexual assault statute and required the Services to offer legal assistance to eligible victims of sexual assault. The Marine Corps participated in the Joint Service Committee on Military Justice that drafted the implementing instructions for Article 120 that will become part of the Manual for Courts-Martial. The Marine Corps also offered and advertised the availability of legal assistance to victims of sexual assault. Both of these efforts required extensive training of judge advocates to understand the nuances and limitations of this new statute, as well as outreach to the entire Marine Corps to inform all Marines of the availability of the legal services and the new accountability standards under Article 120.

FY13 NDAA

The Fiscal Year 2013 NDAA provided increased statutory authority to the SJA to CMC and required the establishment of a Special Victims Capability within the Marine Corps to respond to certain special victim cases, including sexual assault. Changes in Title 10, combined with implementing directives, provide the SJA to CMC with increased authorities over the Marine legal community, including functional supervision over the provision of military justice within the Marine Corps. Marine Corps Order 5430.2 provides the SJA to CMC the authority to set policies and procedures regarding the provision of legal support throughout the Marine Corps. The Marine Corps has implemented the SVC through the creation of the RTC Office and complex trial teams in the 2012 reorganization, and has recorded these changes in the Manual for Legal Administration. As discussed above, minimum standards were set for a trial counsel to be assigned to a special victim case, including experience, training, and personal evaluation by the RTC and LSSS OIC. Additionally, the reorganization established complex trial and special victim expertise for each LSSS in the RTC, complex trial counsel, and HQEs. Finally, the RTC is required to personally detail the right counsel to special victim cases and assign appropriate assets to form a complex trial team when necessary. This complex trial team ensures that every special victim case has a qualified counsel and appropriate assets to handle the case, meeting the new statutory requirement.

The increased authorities of the SJA to CMC and the implementation of an SVC through the reorganization have been critical upgrades for the Marine Corps complex trial capability, and have allowed the Marine Corps to effectively perform sexual assault litigation.

FY14 NDAA

The Fiscal Year 2014 NDAA included changes to nearly every stage of the military justice process: changes to initial disposition decisions, limitations on the scope of preliminary hearings under Article 32, review of non-referral decisions, establishment of minimum sentences for certain sex offenses, and limitations on the scope of clemency available for members convicted of crimes. The Marine Corps, as a member of the Joint Service Committee on Military Justice, has been working closely with the other Services to implement these significant changes through amendments to the Manual for Courts-Martial, DoD, DON, and Marine Corps regulations, and through guidance to fleet staff judge advocates. Significantly, the Marine Corps began a complete revision of the Manual for Legal Administration in order to implement and incorporate the authorities and developments from the Fiscal Year 2013 and 2014 NDAs.

The most significant changes from the FY14 NDAA include enhanced rights to victims, changing the scope of the Article 32 hearing, and amending the authority of Commanders to adjudicate sexual assault cases.

- *Sections 1701, 1704, 1706, 1747 (Crime Victims' Rights)* – Statutorily incorporates Crime Victims' Rights into military justice. Military victims now have rights under the UCMJ similar to those that victims have in federal courts under the federal Crime Victims' Rights Act. These rights include the right to be present and heard at certain hearings, the right to be treated with respect for their privacy, and the right to consult with the Government attorney. While trial counsel have always strived to enforce these rights under the victim-witness assistance program, these rights are now codified in the UCMJ. Additionally, victims will have the right to have trial counsel or victims' counsel present when being interviewed by the defense (1704), and the right to submit post-trial matters for consideration by the convening authority (1706). Finally, section 1747 requires notification to service members completing the security clearance questionnaire that they do not need to divulge mental health treatment they received as a result of a sexual assault.
- *Section 1716 (Special Victims' Counsel)* – This section requires the Services to establish special victims' counsel to provide legal assistance to eligible victims of alleged sex-related offenses. The Marine Corps implemented this statute through the creation of the VLCO described below.
- *Section 1702* – Revision of Article 32 and Article 60, UCMJ. Section 1702 of the FY14 NDAA limits the scope of Article 32 hearings to avoid them from becoming a discovery tool, and retitles them as "preliminary hearings." As the Marine Corps had already implemented through customary practice, section 1702 requires the hearing officer, whenever practicable, to be a judge advocate of equal or greater rank to the counsel involved in the case. Section 1702 also provides significant protection of victims to bring the UCMJ in line with most civilian jurisdictions by allowing all victims, military and civilian, the right to decline to testify at the preliminary hearing. Additionally, section 1702 significantly changes Article 60 to prevent a convening authority from modifying the findings or sentence of a court-martial in many felony level cases. The Secretary of the Navy implemented the

Article 60 changes in ALNAV 051/14. The Marine Corps is working with the Joint Service Committee on Military Justice to rewrite Rule for Courts-Martial 405 to implement the changes to Article 32.

- *Section 1744* – Review of Decisions Not to Refer Sexual Assault Cases to Trial. This section requires the service secretary to review sex offense cases in which the staff judge advocate recommended referral to court-martial and the convening authority elected not to. Even in cases in which the staff judge advocate and convening authority agree the case should not be referred, the case must be reviewed by the next higher convening authority.

Victims' Legal Counsel Organization (VLCO)

In August 2013, the Secretary of Defense (SecDef) directed all of the Services to create a special victim counsel program to provide legal representation to victims of sexual assault. The SecDef required the new organization to have an initial operating capability as of 1 November 2013 and be fully operational by 1 January 2014. As discussed above, the FY14 NDAA also created a statutory requirement to establish a special victims' counsel program. The Marine Corps established a fully mission capable VLCO within the required timelines.

The VLCO mission is to protect victims' rights at all stages of the military justice process by providing legal advice and, when detailed, representation to victims of sexual assault and other crimes. The VLC safeguards victims' rights provided within the Manual for Courts-Martial, including the Military Rules of Evidence (MRE), Rules for Courts-Martial (RCM), and Uniform Code of Military Justice (UCMJ). Since the decision by the Court of Appeals for the Armed Forces in *L.R.M. v. Kastenberg* (CAAF Jul 2013), victims have had the right to be heard "through counsel." Among the rights VLC assert on behalf of their clients are:

1. Rights under Article 6b, UCMJ;
2. Right to attend and be heard at legal proceedings per MRE 412, 513, or 514;
3. Right to be present at all legal proceedings per MRE 615;
4. Right to provide "Victim's View as to Disposition" of the case to the convening authority per RCM 306;
5. Right to confidential communication with victim advocate per MRE 514;
6. Right to receive copy of record of trial upon completion of the case per Article 54(e), UCMJ; and
7. Any other victim rights provided by law, regulation, or Service policy.

The Marine Corps expanded the eligibility of VLC beyond only victims of sexual assault to victims of all crimes in violation of the UCMJ, as permitted by 10 USC §§ 1044, 1044e, and 1565b, including both adult and minor dependents. Additionally, eligible victims who file restricted or unrestricted reports, or are still undecided, are entitled to VLCO services.

The Marine Corps set high standards for judge advocates selected for assignment to VLCO: they must have military justice experience, pass sensitive position screening, and complete a specialized victims' legal counsel course offered by one of the Judge Advocate General's schools. Ultimately, VLC are certified by the Judge Advocate General of the Navy per 10 U.S.C. § 1044e(c).

VLC and the VLCO supervisory chain are autonomous from, and independent of, any other legal organization or chain of command within the Marine Corps. The SJA to CMC establishes and oversees the VLCO, while an OIC leads the VLCO and is responsible for the professional supervision of VLC and the delivery of victims' legal services. The initial personnel structure approved for the VLCO at initial operating capability was 15 active duty Marine Corps judge advocates, supported by nine (9) enlisted legal services specialists, plus four (4) part-time active duty O-3 judge advocates as Auxiliary Victims' Legal Counsel (AVLC). AVLC have a separate primary duty assignment and serves as VLC only when needed to handle conflict cases or high case volume. The VLCO mission continues to expand to meet the high demand for victim services. Since initial operating capability, most VLCO billets have been staffed, with further structure needed as awareness of and demand for services increases.

Since the establishment of the VLCO, extensive efforts have been made to increase awareness of legal services available to victims. Between October 2013 and February 2014, the OIC, VLCO traveled extensively across all Marine Corps regions to provide briefs about this program, meeting with Commanders, SARCs, VAs, family advocacy program personnel, victim-witness assistance program personnel, military criminal investigators (such as NCIS and USMC CID), and all Marine Corps judge advocates. On 24 January 2014, the OIC, VLCO briefed all the Marine Corps 3- and 4-star Generals at the Executive Offsite (EOS) meeting in Arlington, VA. The Deputy OIC, VLCO spoke at the TCAP training events, conducted at Camp Lejeune, NC on 14 January 2014 and at Camp Pendleton, CA on 4 February 2014, to educate trial counsel on the role of VLC. During the FY14 SJA to CMC Legal Community Training, 25–27 February 2014, the OIC, VLCO briefed all the senior judge advocates, including Marine Corps military judges.

Since November 2013, the VLCO has also made use of media platforms to advertise the availability of services. Information about VLCO has been included in monthly Marine Corps Public Affairs updates read by Commanders and others. Additionally, several military newspapers have featured articles about VLCO, including the *Marine Corps Times* and base newspapers at Camp Lejeune, MCAS Beaufort, and MCB Quantico. Finally, the VLCO established a public website with essential information about the program and VLC contact information.

VLCO Training

Certification Training

All attorneys and paralegals assigned to VLCO attend specialized initial training at one of the Judge Advocate General's Schools. The Air Force offers The Special Victims' Counsel Course (SVCC) twice per year at Maxwell Air Force Base, Montgomery, AL.

The Army Special Victims' Counsel Course offered at TJAGLCS in Charlottesville, VA, has been offered three times to date. NJS has offered one similar course to date. All of these courses include instruction on substantive military law, victim behavior, victim services, counseling techniques, and participation in practical scenario-driven exercises.

Continuing Legal Education

VLC attend additional specialized training offered by organizations outside the military as available. Some of the courses attended by VLC since 1 November 2013 are Preventing, Assessing, and Treating Child, Adolescent, and Adult Trauma offered by the Institute on Violence, Abuse and Trauma; Equal Justice for Children sponsored by the National District Attorneys Association; and the 2014 Crime Victim Law Conference sponsored by the National Crime Victim Law Institute.

Annual VLCO Training Event

The first annual VLCO-wide training event is scheduled to take place in September 2014. This event will feature several classes by prominent victims' legal rights experts, and provide an opportunity to share lessons learned and further develop best practices.

Positive Trends

Since the implementation of the legal reorganization, the Marine Corps has seen numerous successes with the new model for delivering legal services. The Marine Corps trial services are no longer isolated within individual legal offices and are all overseen by experienced O-5 litigators, under the supervision of an O-6, at regional LSSSs. As cited by the RSP, the HQEs have greatly enhanced the transparency, experience, and continuity of knowledge within the Marine Corps and aided in the trial strategy in over 100 sexual assault cases. Marine Corps TCAP and DCAP have greatly expanded the availability of litigation training and coordination among the Services. Statutory changes to the authority of the SJA to CMC, as well as numerous process improvements and training upgrades have solidified these gains for long-term sustainment. Last year, the Marine Corps legal community upgraded its service to victims of sexual assault through the establishment of the VLCO, which has already represented hundreds of victims, protected victims' rights, and increased their confidence in the system that places the right counsel for the right case. These efforts have improved the capability of the Marine Corps legal system to confront sexual assault.

VLCO

Between 1 November 2013 and 15 August 2014, VLCO provided legal services to 602 victims of crime, including 336 (55%) for sexual assault, 115 for domestic violence (19%) and 32 (5%) for assault in violations of Article 128, UCMJ. Twenty clients were under the age of 18, and 331 of the 602 cases (55%) required VLC to be detailed to actively represent the victim and advocate for their legal interests during the investigative and military justice process. VLC have filed over 30 motions in courts-martial to safeguard victim rights.

Victim Confidence

Legal services provided by VLC have had a significant positive impact for victims engaging the military justice process. Listed by category below are some narrative descriptions of assistance VLC provided to victims of both sexual assault and domestic violence since the establishment of the program:

1. **Helping Victims Understand Options:** A VLC assisted a teenage child victim and her parents in fully understanding the military justice process, victim rights, and options going forward. The parents wanted the accused prosecuted, while the teenage victim did not. The VLC was able to bring all family members together to understand the process and options. After consulting with the VLC, the victim and parents were able to agree on their desired disposition of the case, which they communicated to the Convening Authority, who agreed.
2. **VLC Assistance with Separations and Characterization of Service:** A male victim that was sexually assaulted by a male assailant became so distraught and embarrassed by what happened that he left his unit without permission, followed by 10 months of Unauthorized Absence (UA). When he returned, he contacted a VLC that assisted him request voluntary separation under the Best Interests of the Service immediately after the victim testified in a general court-martial. His characterization of service was approved as Honorable.
3. **Safeguarding Victim Privacy Rights. VLC Motion to Exclude Prior Sexual History at an Article 32 Proceeding:** During an Article 32 pretrial proceeding a VLC successfully argued to the Article 32 Investigation Officer (IO) that prior sexual history of the victim was not relevant to the case before him, and therefore should not be introduced by the defense. The IO concurred. This decision kept the focus of the hearing on the case at hand rather than previous sexual history of the victim, giving the victim the confidence to continue to stay engaged in the military justice process.
4. **Courts-Martial – Facilitating Testimony of Child Victim:** A VLC represented a 6-year-old dependent victim accompanied by her parents. The VLC assisted the child to participate in the military justice process by accompanying her throughout the court-martial proceeding, including when the child had to testify. By persistence of both the VLC and Trial Counsel, the military judge ruled that the child's testimony would be conducted by closed-circuit television rather than in the presence of the accused. This comforted the child and the family, and gave them confidence in the military justice system.
5. **Coordinating with External Organizations: VLC Liaison with Domestic Abuse Shelter.** A VLC had a client that fled her abusive husband and was residing in a domestic abuse shelter with her two minor children. She was concerned that she could only stay there for a few weeks before she would have to find a new place to live. The VLC contacted the shelter and they agreed to allow her to stay as long as she needed. Additionally, the VLC put together a package to HQMC requesting orders to relocate her and her children due to personal safety.
6. **Increased Satisfaction with Military Justice Process:** A VLC had a client that, on

the last day before her EAS, came to his office and told him that if it was not for the VLC then she did not think she would have made it through the court-martial process. As a result of her participation, a former Gunnery Sergeant was sentenced to reduction to E-1, 9 months confinement, and a bad-conduct discharge.

Way Ahead

The Marine Corps legal community will continue to lead the accountability line of effort in the fight against sexual assault. In the upcoming years, key initiatives will include solidifying changes to law and policy through implementing regulations; evaluating and executing recommendations from the RSP, Judicial Proceedings Panel (JPP), and the Military Justice Review Group (MJRG); refining military justice management tools and processes; and ensuring the Marine Corps maintains the judge advocate structure required to support these developments.

Congress's landmark 2013 military justice legislation dramatically changed how we investigate and, where appropriate, prosecute of sexual assault cases and requires service implementation. The FY14 NDAA provided new rights for victims of crime to participate in the military justice process, mandated minimum sentences for certain sexual assault offenses, and amended post-trial processing including the ability of the Commander to grant clemency. In the coming years, the Marine Corps will continue to implement these changes, working with the Joint Service Committee on Military Justice to rewrite portions of the Manual for Courts-Martial. The SJA to CMC will similarly oversee the update of the Marine Corps Legal Services Administration Manual (LSAM) and provide assistance to the Department of the Navy (OJAG) in updating the Manual of the Judge Advocate General (JAGMAN).

The RSP made 132 recommendations for improvements to DoD SAPR policies along all lines of effort and more recommendations are expected from the JPP and the MJRG. The Marine Corps legal community will evaluate and execute those recommendations pertaining to military justice and victims' counsel that would further enhance the ability of the Marine Corps to hold offenders appropriately accountable while upholding the rights of the accused.

Under the leadership of the SJA to CMC, the legal community will use improved management tools and processes to evaluate best practices, identify shortfalls in our practice, and develop new standards for the legal community. Our forthcoming initiatives include increased standardization of sexual assault disposition processes and development of training for Article 32 Preliminary Hearing Officers to ensure competent, thorough, and fair evaluation of allegations under the new Article 32 rules. In addition, the Judge Advocate Division will publish guidance and training for SJAs to help them understand the numerous policy and legislative changes affecting military justice and sexual assault response.

The SJA to CMC will ensure that as the Marine Corps implements these new policies and practices, the judge advocate community maintains sufficient structure to avoid

degradation of previous gains. For example, when the Marine Corps established the VLCO, judge advocates had to be reassigned to fill the new VLC billets. At the request of the SJA to CMC, the Commandant ordered a review of the Marine Corps judge advocate structure, to ensure personnel policies matched the legal support policies. Continued engagement on legal structure will ensure the Marine Corps can maintain the highest standards of military justice practice.

The Marine Corps judge advocate community will continue to enhance our proficiency in the accountability line of effort. The initiatives discussed above will solidify current gains, maximize recent changes, and extend them into the future.

4. LOE 4—Advocacy/Victim Assistance

While the primary goal of the SAPR Campaign Plan is to prevent—with the goal to eliminate—sexual assault, the Marine Corps SAPR Program remains focused on providing care, advocacy, and supportive services to victims. All Marine Corps SAPR personnel, to include Sexual Assault Response Coordinators (SARCs), civilian Victim Advocates (VAs), and Uniformed Victim Advocates (UVAs), must have a wide repertoire of knowledge, skills, and tools to successfully provide culturally sensitive, high-quality, and victim-centered response and care. From the time a victim of sexual assault contacts an advocate and chooses to file a report until the time the victim decides that services are no longer needed, our SAPR advocates dedicate themselves to a process that is not only multi-faceted but also requires an innovative and deft ability to navigate effectively: building rapport with victims; lending a compassionate, nonjudgmental ear; performing nonclinical safety assessments; accurately informing victims of their options and carrying out their decisions; referring victims to and helping them access the desired medical, counseling, legal, investigative, and other services; accompanying them to appointments as requested; providing victims with case status updates; and staffing the 24/7 Installation Helplines.

In addition, our SAPR advocates are responsible for serving as a knowledge base for Marines at large, conducting the required annual training and proficiently addressing any questions or concerns presented to them. As a result, our SARCs, civilian VAs, and UVAs must maintain both a comprehensive understanding of the Marine Corps SAPR Program and the skill set to properly provide quality victim assistance. In order to supply our SAPR advocates with an apt arsenal of knowledge and skills, the Marine Corps successfully developed, provided, and enhanced training since 2011 that has continually improved the capacity and ability of our SARCs, civilian VAs, and UVAs. Our goal has always been to support the overall Marine Corps mission as well as each unit's Commander with well-trained, reliable, and standardized community-based resources. These enhanced training initiatives are outlined below.

Training Enhancements

DoD Sexual Assault Advocate Certification Program (D-SAACP)

DoDI 6495.02 requires that all SAPR personnel in the field obtain credentialing through the DoD Sexual Assault Advocate Certification Program (D-SAACP). The Marine Corps thus enhanced its advocacy training curriculum to include the prerequisite 40 hours of

victim advocacy training. In 2011, the Marine Corps received approval by the National Advocacy Credentialing Program to develop victim advocacy training for SARCs, UVAs, and civilian VAs. In June 2012, the Marine Corps implemented its new training, initially for SARCs at the first Marine Corps-sponsored Annual SAPR Training Event (described below). The SARCs then executed this training requirement for the UVAs. As a result, the Marine Corps was able to satisfy its requirement to have 100% of SAPR personnel in the field credentialed by October 2013.

In order to maintain D-SAACP credentials, SAPR advocates must complete 32 hours of continuing education every two years. SARCs and many civilian VAs are able to complete this requirement at the Annual SAPR Training Event. UVAs are able to maintain their D-SAACP credentials through the Continuing Education Guidance and Course Catalog, which the Marine Corps assembled in June 2013. This guidance features a list of accessible online courses that have been approved by HQMC SAPR and include content designed to hone the skills and knowledge of a UVA. In addition, this publication also contains quizzes that must be completed by the UVAs after they take each course; this enables SARCs to gauge the progress and knowledge of each UVA, and the results must be submitted to D-SAACP as proof of completion of the credit hours. The Continuing Education Guidance and Course Catalog was recently updated in April 2014 to ensure that all courses listed were still available, relevant, and appropriate.

Annual SAPR Training Event

Prior to 2012, Marine Corps SARCs attended an Annual Training Conference that was hosted and sponsored by DoD. In June 2012, however, the Marine Corps stood up and hosted its first Annual Training Event at MCB Quantico. This week-long event has been held every year since and includes external speakers who provide SME lectures and presentations all designed to keep SARCs up to date not only on Marine Corps policy but also on the current research in the field. These events help to ensure the consistency and continuity of the SAPR mission and vision and also enable our personnel to receive current training to refine their abilities to provide quality victim supportive services. The below chart lists the training and lecture topics presented at the Annual Training Events for the last three years.

SAPR ANNUAL TRAINING EVENTS, 2012–2014		
2012	2013	2014
<ul style="list-style-type: none"> • Defense Sexual Assault Incident Database (DSAID) • Marine Corps SAPR Policy Overview and Updates • MRE 514 • Article 120 of the UCMJ • UVA Training • NCIS • Command Team Training 	<ul style="list-style-type: none"> • Department of Veteran Affairs Health Care Services & Military Sexual Trauma • 24/7 Sexual Assault Helplines • Sexual Assault Forensic Examination (SAFEs) • Legislative Process • Crime Victim Compensation: How to Access Financial Help for Victims • Best Practices/Common Pitfalls • DSAID • Legal Reorganization • Alcohol Abuse • Trainer's Boot Camp • Courtroom Advocacy • Sexual Assault Response Teams (SARTs) • Overcoming the Consent Defense • Victim Witness Assistance Program • Ordinary or Outstanding? A Motivational Journey for Victim Service Professionals • "Real-time" case study with mock CMG meeting and court-martial 	<ul style="list-style-type: none"> • DoD Initiatives • DSAID • Functional Area Checklist 963 (IGMC Inspections) • From the Inside: What We Can Learn from Sexual Violence Survivors • Assisting Victims with Reprisal • Secondary Trauma • Victim Legal Counsel Organization • Creating and Executing a Successful Budget • Safety Planning • DoD Safe Helpline and HelpRoom • Behavioral Health Initiatives • Ethical Discussion Groups Preview • Working the Victims of Sexual Assault • Case Management Groups • Judicial Proceedings • Legal Services Support Section • Understanding Men Who Were Sexual Abused or Assaulted • Stop and Breathe!

Additional Training for SAPR Personnel

In addition to our standard, recurring training curriculum, we provide ancillary training to our advocates as needed to ensure that they are kept current with changes in policy, process, and other areas that will impact how they execute their duties. For example, before the new version of Marine Corps Order (MCO) 1752.5B was scheduled for release, we conducted HQMC SAPR Regional Roadshows in February and March 2012 at Camp Pendleton, Hawaii, MCB Quantico, and Lejeune to train SARCs on the new policy, so that our ability to provide compliant victim care in accordance with DoD and Marine Corps regulations remained unaffected.

After the release of MARADMIN 509/11 on 7 September 2011 and in preparation for the release of MARADMIN 048/12 on 25 January 2012, both of which outlined and updated the protocols for responding to victims of sexual assault via the Installation 24/7 Sexual Assault Helplines, the Marine Corps provided specific training in October 2011 for the personnel supporting the helplines to standardize how all UVAs, civilian VAs, and SARCs provide helpline support, ensuring that victims of sexual assault will receive quality, consistent services regardless of which advocate happens to be on call. The Marine Corps will continue to enhance its training for our SAPR advocates in order to provide ever-improving services to both Marines in general and to victims of sexual assault.

DSAID Training

All Marine Corps SARCs receive training on the Defense Sexual Assault Incident Database (DSAID) and use DSAID as a case management system, entering information within 48 hours of a report of sexual assault (96 hours in deployed locations presenting internet connectivity issues). DSAID collects available information about the nature of assaults, the victim, services offered to the victim, the offender, and disposition of reports associated with the assault. NCIS uploads final case disposition weekly into DSAID. DSAID training consists of four modules that cover all functions of DSAID, including establishing initial SARC profiles, creating and converting cases, transferring and closing cases, and business and administrative functions. Refresher DSAID training is ongoing.

Medical Personnel Training

Military Treatment Facilities (MTFs) around the globe have trained a total of 400 Navy MTF SAFE providers, which serve Marine Corps victims. The Fleet and Expeditionary Forces can state that 535 SAFE-trained providers stand ready to meet the SAPR mission. Training for these 935 personnel included 14.5 hours of standardized DVD teaching. This interactive DVD training was mapped against the Department of Justice National Protocol for Sexual Assault Medical Forensic Examination and helps ensure that all providers receive an industry-standard quality training product. Program managers at the regional and MTF level are actively engaged in sustaining proficient, confident, caring SAFE providers to meet the needs of victims of sexual assault 24/7. In addition, gender-based sensitivity lectures are included in SAFE orientation classes at MTFs in Navy Medicine West and Navy Medicine East (efforts to standardize this practice for all MTFs are being reviewed).

To better understand sexual assault data, BUMED is currently working with the fleet, systems commands, and installations to align sexual assault data throughout DON. This will help to identify trends by locality as well as share best practices in training, administrative requirements, and resources. In addition, in coordination with the BUMED Equal Opportunity Advisor (EOA), BUMED is currently revising training vignettes that focus on the continuum of harm, and help staff members identify and stop behaviors that may lead to sexual assault.

Chaplain Training

Understanding and Responding to Sexual Assault: Training for Chaplains and Religious Program Specialists Serving with Marines

Released in June 2012 and April 2013, this training course provides an overview of sexual assault and its impact on victims; outlines the purpose and key tenets of the SAPR program; and identifies the roles and responsibilities of Chaplains and Religious Program Specialists. The training includes instruction regarding the unique capacities Chaplains offer in caring for victims and alleged offenders and how Religious Ministry Teams (RMTs) can serve as agents of prevention. The annual course also provides an in depth review of Chaplain confidentiality and how confidentiality can be leveraged in breaking down barriers to care.

Pastoral Response to Military Sexual Assault

This FY14 Chaplain Corps Professional Development Training Course provides the essential knowledge, skills, and abilities to develop core competencies for Chaplains and Religious Program Specialists to provide effective ministry and pastoral care to those involved in circumstances of military sexual trauma. In addition to caregiving competencies, the course includes an overview of the physiological and psychological impact of sexual trauma and a synopsis of the military justice process in circumstances of sexual assault. As a result of this training, Chaplains and Religious Program Specialists are better prepared to:

- Identify physiological and psychological insights into sexual trauma including key concepts in brain neurobiology and the psycho-social impact of sexual trauma.
- Understand the overall military judicial process in sexual assault cases and its impact on victims, the accused, and the extended military community.
- Identify, understand, and address the needs of those impacted by sexual assault.
- Provide pastoral care in circumstances of sexual assault.
- Utilize through referral the vast array of religious, mental health, and legal resources available for those impacted by sexual assault.

Process/Procedural Upgrades and Efficiencies

Since 2011, the processes by which the Marine Corps provides assistance to victims of sexual assault have undergone a significant amount of upgrades. We continually strive to provide culturally sensitive services, expeditious services, and comprehensive services, and we have improved our processes and procedures in order to make this goal a reality. Ranging from simple handouts to complex, multidisciplinary policies, these efficiencies all were designed to ensure that victims of sexual assault are receiving the support they need, when they need it.

Marine Corps Order (MCO) 1752.5B

The updated MCO 1752.5B was published 1 March 2013 and aligned the Marine Corps SAPR Program with the DoD Directive 6495.01 and incorporated recommendations from the Defense Task Force on Sexual Assault in the Military Services, the Government Accountability Office, NDAA, and the Inspector General of the Marine Corps (IGMC). The purpose of the MCO is to standardize the SAPR program across the Marine Corps. Significant changes contained in the MCO include the establishment of multidisciplinary CMG meetings on a monthly basis. Chaired by the Installation Commander, the CMGs review all open unrestricted cases, direct system coordination, facilitate monthly victim updates, and assess victim services.

Expedited Transfer Requests

Prior to 2012, there was little recourse for victims of sexual assault to separate themselves from the offenders. In February 2012, in compliance with Directive Type Memorandum 11-063, the Marine Corps released MARADMIN 227/12 and corresponding Letter of Instruction (LOI) that establishes a process for victims who file unrestricted reports to request an expedited transfer. According to the MARADMIN and

LOI, UVAs must inform victims of sexual assault of their right to request an expedited transfer if they decide to file an unrestricted report. The request will then proceed to the victim's Commanding Officer, who must either deny or approve the request within 72 hours. If denied, the request is elevated to the next General Officer in the chain of command, who again must execute a decision within 72 hours. This process has been recently improved to allow provisions for the accused to be transferred, vice the victim.

SAPR 8-Day Briefs

In October 2012, the Marine Corps implemented procedures to formally establish leadership engagement at the onset of each unrestricted report and to provide another layer of checks and balances that ensure that all victims are receiving timely access to the wide range of services available. This Commander toolkit, called the SAPR 8-Day Brief, comprises a comprehensive checklist that must be completed within eight days after an unrestricted report is filed. During a face-to-face meeting with the victim, the Commanding Officer thoroughly reviews all the options and services available, recording the date that each was originally offered to the victim (by the UVA, SARC, or other first responder), as indicated by the victim. After completing the SAPR 8-Day Brief with the victim, the Commanding Officer then briefs the first General Officer in the chain of command, who provides yet another layer of checks to ensure that all victim services were offered in a timely and supportive manner. The SAPR 8-Day Brief has been refined for increased efficiency since its initial implementation in October 2012. For example, the victim's Commander must now ensure that victims are informed of their right to request an Expedited Transfer Request and a Military Protection Order, and that victims are referred to a VLC, all of which are requirements that were not originally part of the procedure. The Marine Corps will continue to upgrade this process as required to provide optimal victim assistance. The SAPR 8-Day Brief has been recognized for its effectiveness and similar oversight mechanisms are being developed by the DoD for standardized use across all Service branches. The following table outlines the primary requirements of the SAPR 8-Day Brief:

SAPR 8-Day Brief Requirements				
Victim Information	Alleged Offender Information	Incident Details	SARC Responsibilities	Commander Responsibilities
<input type="checkbox"/> Grade <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Unit <input type="checkbox"/> MOS <input type="checkbox"/> Date of Entry into Service <input type="checkbox"/> Date Current Tour Began	<input type="checkbox"/> Grade <input type="checkbox"/> Gender <input type="checkbox"/> Age <input type="checkbox"/> Unit <input type="checkbox"/> SA-IDA Notification	<input type="checkbox"/> Date of Incident <input type="checkbox"/> Time of Incident <input type="checkbox"/> Location of Incident <input type="checkbox"/> Was Alcohol Involved?	<input type="checkbox"/> Commander Notification <input type="checkbox"/> UVA/VA Assignment <input type="checkbox"/> DSAID Entry <input type="checkbox"/> Medical, Chaplain, counseling, and VLC referrals <input type="checkbox"/> Sexual Assault Forensic Exam <input type="checkbox"/> DD 2701 (Information for Victims) <input type="checkbox"/> DD 2910 (signed) (Victim Preference Reporting Statement)	<input type="checkbox"/> SARC Notification <input type="checkbox"/> SIR Submission <input type="checkbox"/> NCIS Notification <input type="checkbox"/> MPO Issuance <input type="checkbox"/> Expedited Transfer Request <input type="checkbox"/> Date of first CMG meeting <input type="checkbox"/> Provided first O-6 and General Officer with SAPR 8-Day Brief

Sexual Assault Response Teams (SARTs)

SARTs are multi-disciplinary teams that consist of key stakeholders at the installation level—such as NCIS, advocates, medical personnel, and counselors—who meet regularly to address systematic and procedural issues and trends (e.g., the need to change lighting on base where attacks have been occurring). The SART Standard Operating Procedures (SOP) were released in August 2013. SARTs are coordinated by the Installation SARC, who also serves as the chair of the SART meetings and is responsible for the administrative portion of each meeting (i.e., agenda and minutes).

Sexual Assault Advisory Group (SAAG)

The SAAG meets quarterly at the headquarters level to address systemic issues raised via installation SARTs and SAAG members for the purpose of informing policy. Core members include: SARCs, NCIS, staff judge advocate, family advocacy program, Chaplain, BUMED/health services, HQMC SAPR, and Plans, Policies & Operations (law enforcement).

High-Risk Response Teams

Policy for High-Risk Response Teams is being developed for the purpose of assessing sexual assault cases with a high likelihood of danger or violence. Chaired by the victim's Commander when activated, the team will consist of the suspect's Commander, SARC, VA, MCIO, judge advocate, Victim–Witness Assistance Program (VWAP) personnel, healthcare provider, and mental health/counseling services provider.

Chaplain Liaison with HQMC SAPR

In 2011, HQMC REL (Chaplain of the Marine Corps) assigned a Chaplain to liaise with HQMC SAPR in order to increase communication and cooperation of effort against sexual assault. In 2012, the Chaplain Corps established a permanent Chaplain billet within Marine and Family Programs and assigned a Chaplain to the billet to solidify this effort and ensure continuity.

Improvements to Victim/Survivor Services and Resources Available

The Marine Corps offers comprehensive services to victims of sexual assault, from even before a report is filed until the victim decides that services are no longer required. In addition to the new policies and training policies outlined above, the initiatives listed below have also been implemented in the last three years for the purposes of improving services and resources available to victims:

Upstaffing and Screening of SAPR Personnel

In FY13, the Marine Corps added 22 full-time SARCs and 22 full-time civilian VAs. This upstaffing enabled the Marine Corps to establish compliance with NDAA provisions and effectively operationalize its program and ensure quality care throughout the Operational Forces. The Marine Corps model places one full-time SARC at each of the Marine Expeditionary Forces (MEFs), the Marine Logistics Groups (MLGs), the Marine Divisions (MARDIV), the Marine Aircraft Wings (MAWs), and select Military Occupational Specialty (MOS) schools. In addition, full-time civilian VAs are placed at the installation level and are responsible for responding and providing emotional support to victims in crisis,

instructing victims of their options and rights, directing victims to appropriate supportive resources, addressing any other immediate needs, and liaising between victims and other responders. Civilian VAs also provide administrative support to SARCs. A minimum of two UVAs are appointed at every battalion, squadron, and equivalent size command, including MEUs, ensuring full SAPR response capability. UVAs work directly with their Command SARC and Installation SARC to ensure thorough victim response and that all reporting measures are met.

All Marine Corps SAPR personnel are subject to a rigorous selection and training process, which involves hand-selection by Commanding Officers, local background checks, compliance with the national advocacy ethical standards, as well as the credentialing and training requirements highlighted above. All SAPR personnel must have no prior history of court-martial, sexual assault or sexual harassment allegations, drug-related incidents, or domestic violence. The SAPR selection criteria used by Commanding Officers requires that the individual possess the specialized abilities necessary for effective crisis management, and victim care and advocacy that is nonjudgmental, compassionate, and discreet. UVAs are appointed from the grade of Sergeant or higher and perform victim advocacy as a collateral duty.

Continued Enhancement of the 24/7 Sexual Assault Helplines

The Marine Corps offers 24/7 access to victim advocacy services through the Sexual Assault Helplines established at every installation in July–August 2010. These helplines are staffed by credentialed SARCs and civilian VAs trained to administer advocacy and crisis response services. The following improvements have been made to the 24/7 SAPR Helplines since their establishment: in September 2011, the Marine Corps standardized 24/7 Helpline Information on command websites to facilitate access; also in September 2011, First Responder Voicemail Protocols were standardized; throughout 2012, the Marine Corps facilitated heavy promotion of the helplines, including posters, to ensure awareness of the service; and in February 2014, the DSTRESS Line was implemented as a backup to ensure that anyone calling the helpline would reach a live operator, thereby increasing the chance that services could be rendered. Calls initiated to the 24/7 SAPR Helplines and not answered within five rings are automatically forwarded to the DSTRESS Line. DSTRESS staff do not assume the victim advocate role for the Marine Corps but provide support and crisis intervention until a warm handoff is made to the 24/7 SAPR Helpline or the local Sexual Assault Crisis Center.

SAFE Accessibility

BUMED, which provides health care services for both the Navy and Marine Corps, established a comprehensive program in FY13 to provide victims of sexual assault access to SAFEs at both 24/7 MTFs and non-24/7 MTFs. As of 1 July 2014, 97 Navy MTFs are now capable of conducting SAFEs. The efforts and scope of this program extended to our Navy Medicine partners at U.S. Fleet Forces, U.S. Pacific Fleet, and Fleet Marine Forces to provide the same level of training and care in maritime and expeditionary environments for victims of sexual assault.

Since October 1, 2013, Navy Medicine has performed 287 SAFE exams including 9 exams performed underway on deployment. Navy Medicine is ready to provide forensic exams around the globe and will coordinate a team response to caring for and preventing sexual assault in the military.

The following BUMED initiatives have been implemented in the last three years:

- Creation, implementation, and testing of Victim Care Protocols (VCP) at 96 of 97 SAFE-capable MTFs have been achieved through regional program efforts. VCPs ensure standardized and coordinated SAPR/SAFE responses to victims of sexual assault.
- All Navy SAFE kits submitted by Navy SAFE providers to U.S. Army Criminal Investigation Laboratory (USACIL) will undergo quality assurance review. Feedback results will be shared with the provider submitting forensic evidence and trends will be shared with all.
- BUMED representatives are currently participating in the Psychological Health Council for the Office of the Assistant Secretary of Defense for Health Affairs (OASD/HA) and supporting the GAO Male Sexual Assault committees.
- MTFs work to have both male and female SAFE providers available to perform exams, as well as having both sexes available as assistants for the exams if needed.

Victim Assistance Response Kit (VARK)

After intensive review of civilian best practices, DoD SAPRO implemented the Victim Assistance Response Kit (VARK), which is designed to help restore dignity to victims by providing them with new clothes, toiletry items, and food to provide comfort immediately following the completion of a SAFE.

Mental Health/Counseling Services

BUMED, M9 (Wounded, Ill and Injured), HQMC Behavioral Health, and Marine Corps Health Services (HS) have established a comprehensive system of psychological health care for Marines, attached Sailors, and their families, from education and prevention, through all levels of care, including aftercare and/or continuing care. This collaboration clarified the full continuum of care between BUMED, HS, and USMC ensuring that all commands understood there is no wrong door for referring individuals to care, outlined a comprehensive system of care, reduced redundancies/gaps, and developed a seamless coordinated case management protocol for individuals seeking help.

Community Counseling Program

Every Marine Corps installation provides non-medical counseling services to victims of sexual assault through installation Marine and Family Programs (MF) Community Counseling Program (CCP). CCP also provides education, care, and case management of victims of sexual assault who seek services.

CCP provides diagnostic screening and assessments for the purpose of determining appropriate referrals and care of victims of sexual assault. CCP provides community based counseling and clinical case management services for victims of sexual assault whose diagnosis is sub-clinical in nature and not potentially disabling. All appropriate resources available within the community are utilized to leverage protective factors while mitigating risk factors for the victim. Coordinated care occurs when the victim is a client with CCP or when the victim is identified as a high risk. CCP is an integral member of the High-Risk Response Team and works to ensure the care and safety of each victim.

VAs can refer victims to both CCP and the Substance Abuse Program to address concerns resulting from victimization. All interventions offered to victims of sexual assault are evidence based and delivered in a trauma informed manner. Interventions include evidence based models and therapies such as, Seeking Safety, Cognitive Behavioral Therapy techniques, and Narrative Therapy.

CCP counselors, Substance Abuse Counseling Centers (SACC) counselors, and Family Advocacy Program (FAP) counselors have been trained in Seeking Safety, an evidence-based treatment model that can provide consistency and uniformity when treating victims of sexual assault. Seeking Safety is a present-focused treatment for clients with a history of trauma and substance abuse and focuses on coping skills and psycho-education. It is a flexible model that can be used with both genders and in individual or group treatment settings. Seeking Safety is an early-stage treatment designed to stabilize clients and can be used at the start of treatment. It is present focused, addresses current issues and does not delve into detailed exploration of the past. Seeking Safety teaches coping skills to help build resilience and increase safety.

When a victim of sexual assault is referred to CCP a number of services are available. Initially the client is seen for an intake that assists the CCP Counselor in determining appropriate services or referrals. This first visit focuses on ensuring support is available for continued emotional growth, safety issues are addressed, basic psychoeducational information is offered, and the client is provided with options for care.

Should the client request ongoing services, an assessment is completed. This assessment utilizes interviews and assessment measures such as the Columbia Suicide Severity Rating Scale (C-SSRS), the Posttraumatic Stress Disorder (PTSD) Checklist (PCL), and the biopsychosocial which is inclusive of social, emotional, spiritual, and physical needs. An individualized service plan is created utilizing the assessment information to identify and prioritize the victim's needs and provide information to initiate services. At all stages, the client is actively involved in the development of the service plan and the care offered.

CCP counselors may make referrals which require a "warm hand-off" and appropriate follow-up. This ensures follow-up care is monitored through care coordination. Services are integrated or coordinated within the installation MCCS Behavioral Health to avoid duplication. CCP counselors collaborate, as needed, with other service providers to facilitate comprehensive treatment. Victims are offered individual counseling, group

counseling and/or skills training. CCP counselors provide short term, solution-focused non-medical individual counseling. Skill building groups are facilitated by CCP Counselors as well to enhance client's basic life skills.

Clinical case management services provide coordination of services between multiple care settings; ensuring the victim does not "fall through cracks". All services are provided by licensed clinical staff, credentialed by the USMC.

Military Family Life Consultant (MFLC) Program

Military and Family Life Consultants (MFLCs) are contracted, licensed clinicians with at least two years of experience in social work, counseling, or related clinical disciplines. All MFLCs have undergone credentials review/verification by the contractor for experience and licensure prior to being assigned to the Marine Corps.

MFLCs provide confidential, non-medical, short-term, situational problem-solving counseling to Marines and their families. MFLC support is provided in a variety of settings that best meet the needs of the Marines and their families. They are assigned to installations, embedded within units, work in the schools and within the Child Development Centers and Teen Centers.

Across the USMC, there are currently 263 contracted MFLCs. MFLCs are not authorized to receive sexual assault (restricted or unrestricted) reports. In those instances, the MFLC will initiate an immediate referral and warm hand-off to the appropriate reporting services.

Chaplain Services – Confidentiality Campaign

Launched in 2013, this campaign sought to educate Sea Service personnel about confidentiality. Preliminary surveys indicated a minority understood that members have complete confidentiality when speaking to a Chaplain. The majority thought Chaplains were either mandatory reporters or would report some things to the command. The purpose of the campaign was to better inform members that they have complete confidentiality when speaking to Chaplains about religious matters or matters of conscience. Through a fleet-wide push to educate about confidentiality, awareness was increased as post survey data indicated greater awareness of member rights to confidential communications with Chaplains. The initiative resulted in an expansion of knowledge for both Chaplains and members concerning confidentiality regardless of religious preference. Service members became aware that the Chaplain is a completely confidential resource when discussing religious matters or matters of conscience. FY13 data showed 1,157 cases of confidential counseling by Chaplains where sexual assault victims chose not to report and sought only the confidential care from a Chaplain.

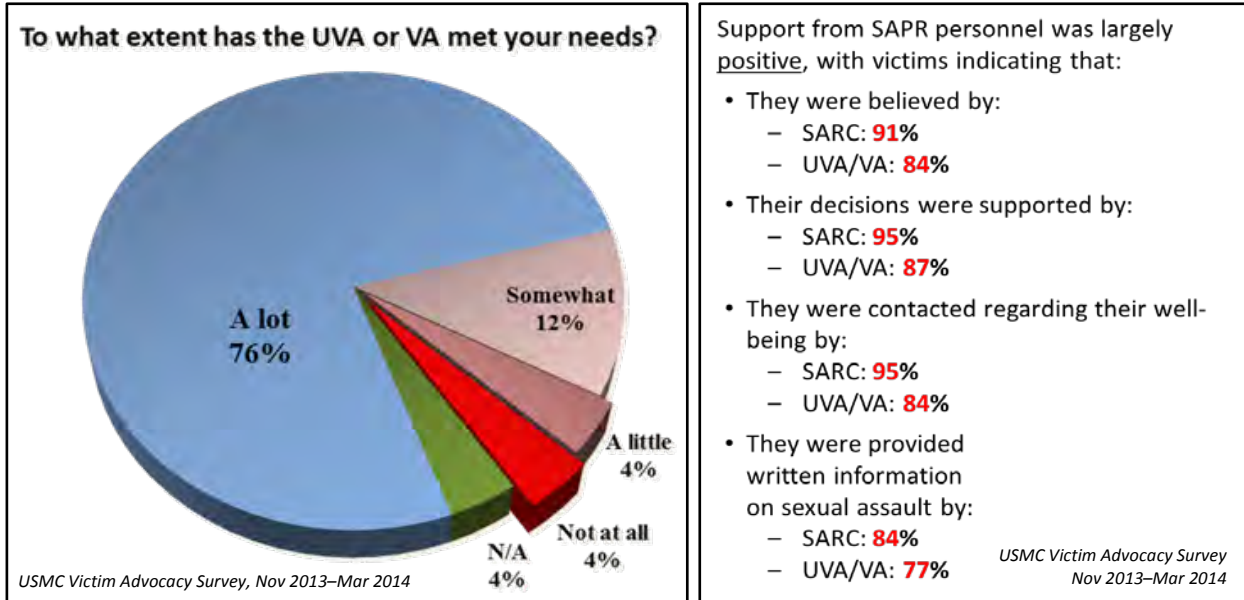
Indicators of Victim Satisfaction and Confidence in the System

Given the underreported nature of sexual assault, the continued rise in reporting over the last three years within the Marine Corps is our greatest indicator of victim satisfaction and confidence in the system. However, other indicators have suggested that our efforts to improve the response system have worked and are making a real difference in the

lives of victims. The Marine Corps victim advocacy survey, fielded between November 2013 and March 2014, indicated that 88% of victims felt that all of their supportive services needs were met. The below statistics from this survey also illustrate victim satisfaction with the following specific aspects of the response system:

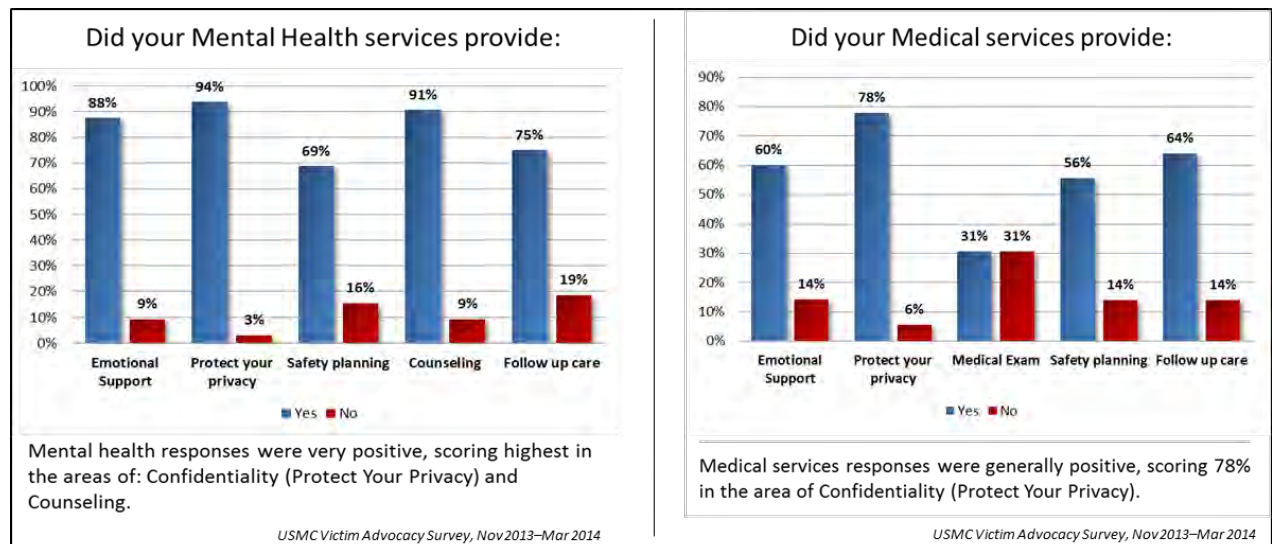
SARCs/VAs/UVAs

Victims were largely satisfied with the services provided by SARCs and UVAs/VAs, who scored between 84% and 95% in the following areas: believing the victim, supporting the victim’s decisions, and providing emotional support.



Medical and Mental Health Services

Victims were largely satisfied with the privacy and sensitivity of the services. They expressed confidence that their privacy was protected by medical (78%) and mental health (94%).



Quotes from the Victim Advocacy Survey

- “I think that the services have been very helpful and have helped me to improve on my conditions since the sexual assault occurred. The UVAs I have worked were key to my emotional well-being, and they did an amazing job.”
- “I am so thankful for all the help I received and am forever grateful to have had such a strong support system being so far away from home.”
- “Both my UVA and my CVA [civilian victim advocate] have been extremely helpful through all of this. They have helped me tremendously.”
- “Victim Advocate Services was invaluable. Previously, I had no experience with legal or law enforcement. My Victim Advocate was completely supportive throughout the process of prosecution and my recovery. My Victim Advocate contacted legal, law enforcement, and my command to address all my questions and concerns. I credit Victim Advocate Services with my ability to complete the prosecution and return to full duty.”

Best Practices/Innovations

SAPR 8-Day Brief

The SAPR 8-Day Brief was implemented 31 October 2012 as a key initiative in Phase I of the Commandant’s SAPR Campaign Plan and has proven to be an invaluable tool for Commanders. The briefs were designed to establish leadership engagement at the onset of each unrestricted report of sexual assault, for the purpose of ensuring proper and immediate victim care and response. The SAPR 8-Day Brief functions essentially as a comprehensive victim care checklist that includes responsibilities of both the Commander and the SARC to inform and refer victims to all available services and resources (see “SAPR 8-Day Brief Requirements” table in the “Process/Procedural Upgrades and Efficiencies” section above). In addition to standardizing victim response, the SAPR 8-Day Brief has proven to be a critical oversight mechanism that allows Commanders greater visibility and insight into subordinate commands. The SAPR 8-Day Brief has served as the prototype for the Sexual Assault Incident Response Oversight (SAIRO), a similar mechanism currently in development by the DoD for use by all Service branches.

Inspector General of the Marine Corps (IGMC) Inspections

The Marine Corps SAPR Program is subject to “regular and no-notice inspections” by the IGMC. These are conducted by the IG team with the use of an extensive Functional Area checklist developed by HQMC SAPR. The IG team is also accompanied by a HQMC SAPR program and policy specialist. The Functional Area checklist includes over 40 requirements, over half of which are the responsibility of the SARC. Other SAPR-specific requirements on the checklist are charged to the Commanding General; the battalion, squadron, or equivalent command; the staff judge advocate; and the provost marshal’s office.

Behavioral Health Quality Assurance Team

Behavioral Health programs maintain a state of continual readiness crucial to supporting

Marine Corps SAPR efforts. HQMC Behavioral Health recently deployed a Quality Assurance Team whose mission is to ensure all Behavioral Health programs are functioning at peak level by facilitating a three-tiered accreditation approach. The approach ensures services are evidence-based, compliant with policies and procedures, and create conditions that promote wellness and optimal functioning. The Quality Assurance Team works quickly with programs to identify and correct deficiencies and to implement best practices across all installations.

BUMED Policies

BUMED is examining existing policy in regard to sexual assault response, with the goal to ensure that all victims of sexual assault are able to achieve maximum benefit from participation in the healing services available through our Primary Care Medical Homes and Behavioral Health Services. To that end, execution of that policy must be victim-centered and actively work to eliminate arbitrary barriers to care to include seamless transition from care-team member to care-team member without compromising victim reporting restrictions. Moreover, the goal of helping victims achieve maximal recovery means also being sensitive to the notion that healing is a on a continuum and is most successful with a comprehensive team-based approach that incorporates the SARC, health care team-member, VA, etc., and the needs of the victim to help re-establish the locus of control that is so important for victim empowerment.

Positive Trends

24/7 Helpline Audits

HQMC SAPR continues to conduct monthly audits of all 24/7 Sexual Assault Helplines, measuring response proficiency of SARCs, civilian VAs, and UVAs responsible for answering inquiries and providing information pertinent to victim options and resources. In 2014 to date, the audits of the 24/7 Sexual Assault Helplines have never scored below a 90% success rate (success being defined as calls handled according to protocol). Between January and March, the helplines averaged a 90% success rate. In April and May, only 2 of 38 audits calls were not handled properly—a 95% success rate. In both June and July, the audits yielded a 100% success rate for all Marine Corps 24/7 Installation Helplines.

In addition, as part of the DoD Safe Helpline Database, the 24/7 Sexual Assault Helplines, along with other contact phone numbers for other responders, such as PMOs, Chaplains, and medical personnel, are subject to biannual audits conducted by the Rape, Abuse and Incest National Network (RAINN). These audits are conducted for all Service branches. The Marine Corps has consistently scored above average, consistently reaching a 100 percent success rate during these audits.

Way Ahead

The implementation of these many victim response initiatives has made the Marine Corps a much different institution than it was three years ago. While this progress is encouraging, further improving these response services is one of the top priorities of the Marine Corps, so that more victims get the help they need and stay engaged in the process, which will result in more offenders being held appropriately accountable.

The Marine Corps will continue to implement that tasks outlined in the SAPR Campaign Plan Addendum, which includes the evaluation of supportive SAPR services available for Marines, recruits, and members of the DEP who disclose they were prior victims of sexual assault to identify potential gaps in services. In addition, the Marine Corps is working toward ensuring services for victims in transition. This entails the sustainment of victim response capabilities when victims transfer, deploy, or end active service.

5. LOE 5—Assessment

While many of the positive trends and metrics have been discussed in their appropriate sections above, the following section discusses Marine Corps initiatives specifically designed to assess and measure the effectiveness of SAPR progress to date. These initiatives supplement and inform the annual SAPR Campaign Plan Review, which entails the reconvening of the Commandant's SAPR OPT to determine whether existing and current initiatives have or haven't worked and to direct the way ahead accordingly.

The initiatives discussed below provide valuable supplementary information pertaining to command climate, perceptions of leadership engagement, bystander intervention, victim satisfaction, knowledge of SAPR reporting options and resources, and other case data, demographics, and trends.

Process/Procedural Upgrades and Efficiencies

CMC Command Climate Survey

In May 2013, the Commandant published CMC White Letter 3-13 "Command Climate," in which he stated, "There is no more visible aspect of leadership than the climate a Commanding Officer establishes for the Marines in his or her charge." In order to assist COs in gaining the insight necessary to address potential areas of concern and hold Marines to the highest personal, professional and unit standards, General Amos directed the development of the CMC Command Climate Survey which was implemented Corps-wide on 1 July 2013.

The survey was developed with input from dozens of Commanders, former Commanders and senior enlisted advisors. It was specifically designed to be short and focused on the most important areas that contribute to command climate. The survey is composed of 33 items, takes an average of 7.5 minutes to complete and is focused on areas such as trust, leadership, cohesion and organizational effectiveness. COs receive a personalized debrief from the survey administrator and are required to inform the next higher Commander of the results within fourteen days. Unlike some DOD surveys, the Commandant has the flexibility to quickly adapt the CMC Command Climate Survey based on trends observed or anticipated. Since July 2013, he has done so twice and has placed additional emphasis on coaching, counseling and the unique role of the CO.

As of 11 July 2014, the CMC Command Climate Survey has been taken by 162,145 respondents. Mandatory for all Lieutenant Colonel and Colonel Commanders, leaders in remote units and higher headquarters have also requested to take the survey because of

its perceived value. Though not required, many COs are briefing their subordinates on the results and following up with concrete steps to improve the morale and professionalism of their units. 112 COs have shared their action plans with CMC; they include measures such as the creation of Non-Commissioned Officer Symposiums, a Battalion Leadership Campaign Plan and Professional Military Education programs. They have placed increased emphasis on regular home visits, coaching and counseling in order to better understand the concerns and needs of the most junior Marines and Sailors in their units.

While the CMC Command Climate Survey was primarily designed as a tool for COs, the Marine Corps has begun to analyze Corps-wide trends to modify existing programs and shape new initiatives. For example, the top-five responses to the survey clearly reveal that COs have made it clear that sexual assault and sexual harassment are criminally unacceptable behavior and are committed to creating safe environments. While there is much work to be done, the survey reveals that the message of the CMC SAPR Campaign Plan is being heard and understood. The bottom-five responses to the CMC Command Climate Survey reveal that COs need to place additional emphasis on building trust and cohesion through engaged leadership and regular coaching and counseling. This input has helped sharpen the focus of Marine Corps Leadership Development (MCLD), a CMC-directed initiative designed to strengthen unit cohesion and the personal and professional development of Marines and assigned Sailors. MCLD has been piloted by a number of commands over the past year and will be implemented Corps-wide in coming months.

DEOMI Organizational Climate Survey (DEOCS)

This survey, which measures organizational climate dimensions, is conducted within 90 days after a Commander assumes command and at least annually thereafter. The DEOMI Survey has included questions that measure the climate associated with SAPR since March 2012. MARADMIN 464/13 was released in September 2013 that requires all survey results to be briefed to the next higher level Commander in the chain of command within 30 days of receipt. To ensure this requirement is being met, the next level Commander's information is entered on the DEOCS request and once the request has been approved, the next level Commander will receive an email notification (from the system) that a command climate survey has been requested by the subordinate Commander. This notification is in addition to the standard Commander's notification and administrator approval/account information email. Upon survey completion and the generation of the report, the next level Commander, requesting Commander, and survey administrator will all receive a notification email stating the survey has been completed and the report has been generated. This email will also include the administrator's account information so both the next level Commander and requesting Commander can access the system and retrieve the PDF survey report. All Commanders shall develop an action plan to address concerns identified in the DEOCS report. This action plan must also identify periodic evaluations to assess its effectiveness. The Commander will brief the results, analysis, and action plan to the next higher level Commander. The next level Commander will approve the action plan prior to implementation.

Updates to the Marine Corps Fitness Report

The Marine Corps Fitness Report, the official evaluation and record of an officer's performance, assesses the Commander's ability to set the example, communicate effectively, provide direction, and motivate, as well as their ability to develop, lead, and ensure the well-being of subordinates. As part of our SAPR Campaign Plan, the Marine Corps is in the process of updating the Performance Evaluation System (PES) Manual, which currently states: "Leaders set the tone and must foster a climate of 'equal opportunity' within their units by optimally integrating all members of the team to accomplish the mission regardless of race, religion, ethnic background, or gender." New language will be added and is currently in routing through HQMC: "Evaluate a Commander's ability to set a command climate that is non-permissive of misconduct, especially sexual assault."

Best Practices/Innovations

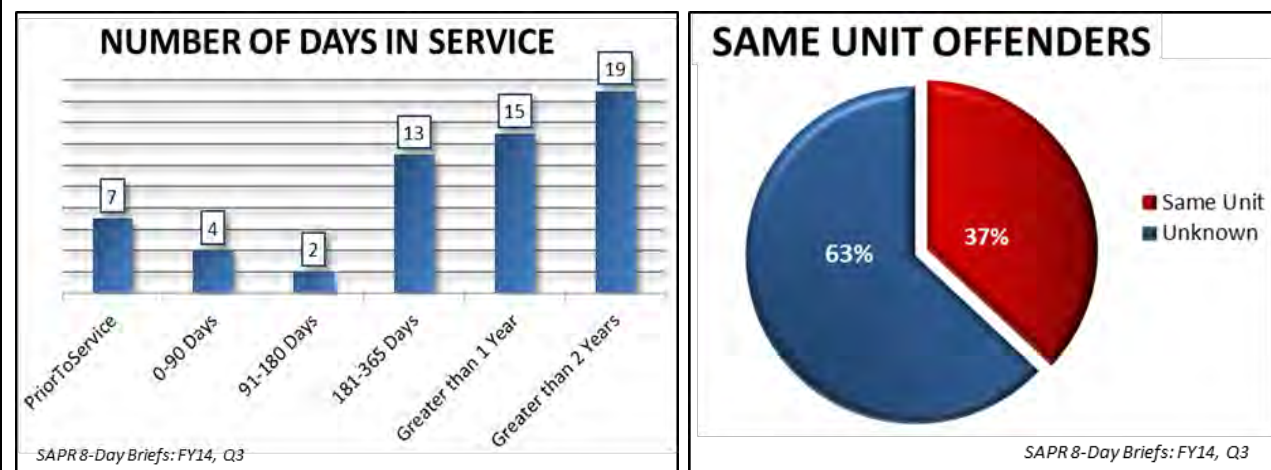
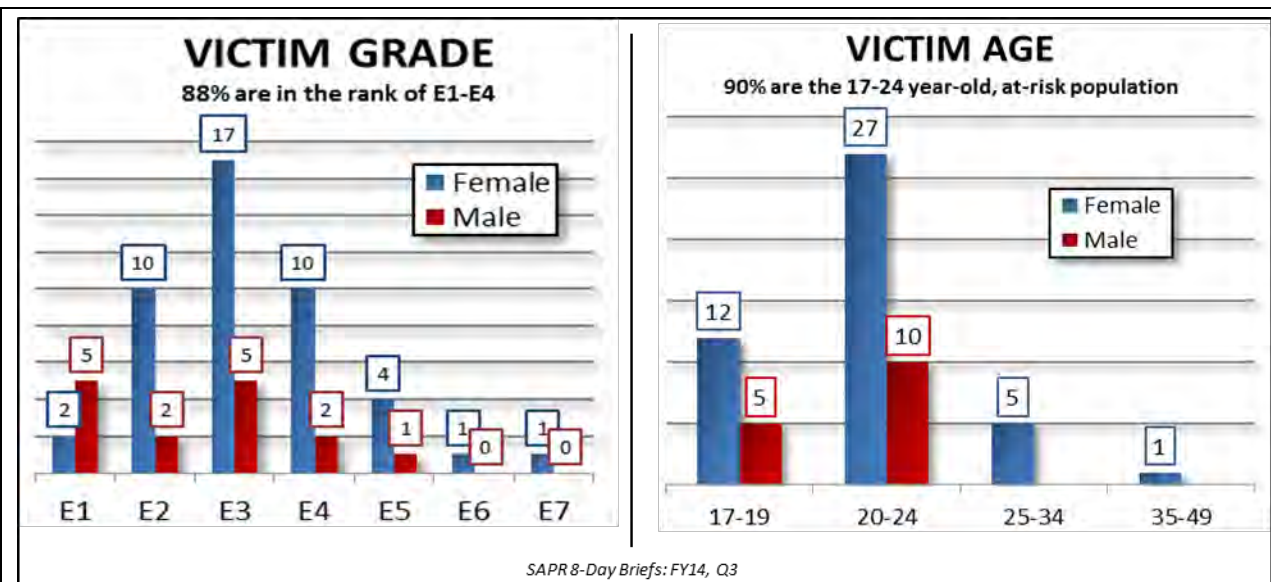
SAPR 8-Day Briefs

While the SAPR 8-Day Brief was designed primarily to enhance victim care, it has also been used as a valuable tool in data collection and assessment, compiling statistics that help identify trends regarding sexual assault in the Marine Corps. These trends include important information pertaining to sexual assault cases, including alcohol involvement, victim age and grade, latency of reports, issuance of Military Protective Orders (MPOs), location of incidents, and offender information. Every quarter, these statistics are compiled by HQMC SAPR and briefed to the Assistant Commandant of the Marine Corps (ACMC). The following information has been taken from the ACMC's quarterly brief for third quarter FY14 (consisting of 60 SAPR 8-Day Briefs):

Case Demographics:

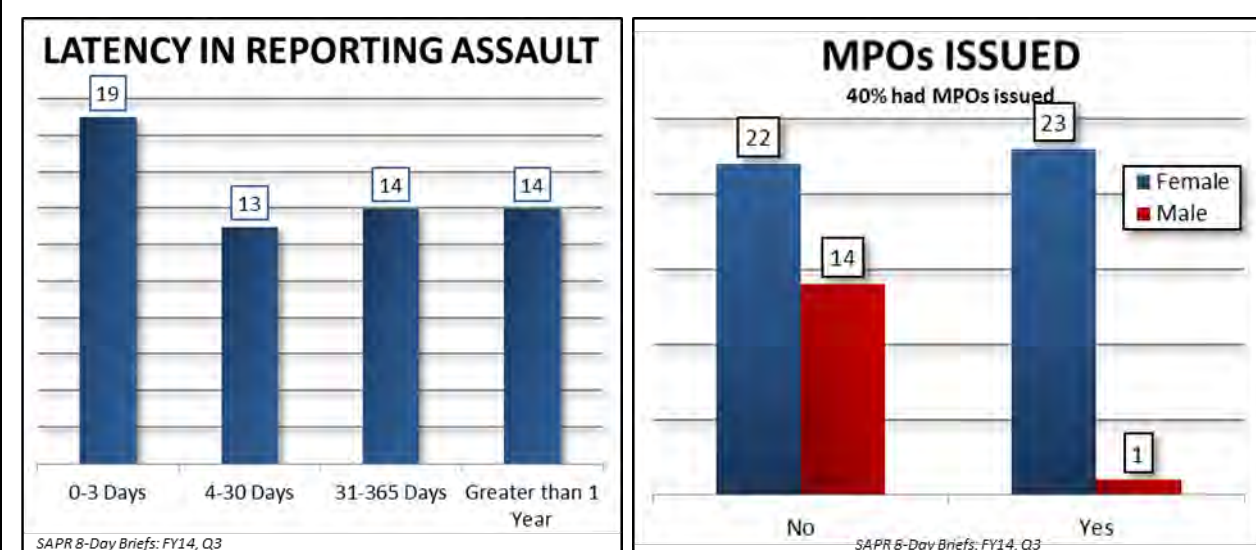
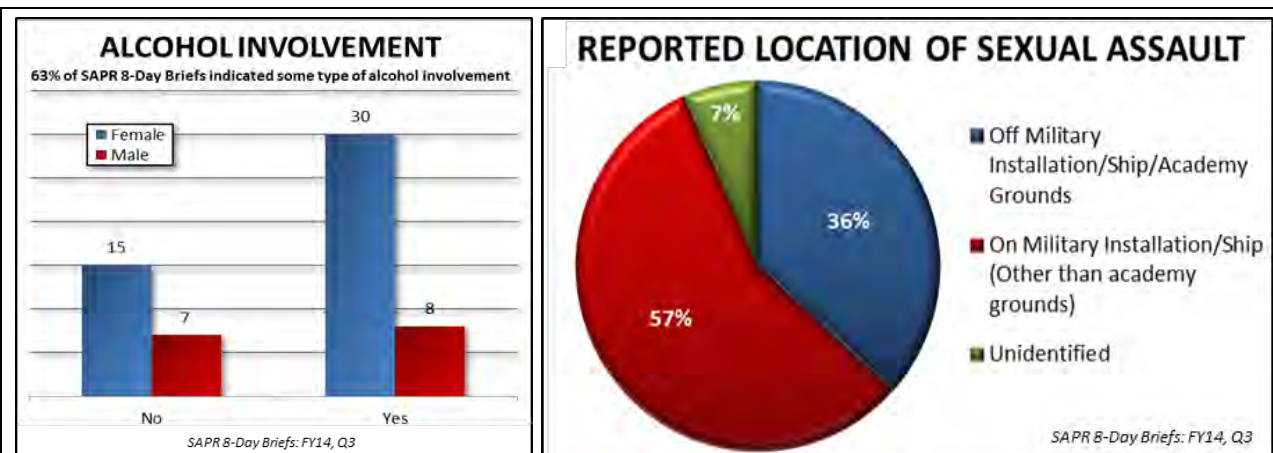
The SAPR 8-Day Briefs allow the Marine Corps to collect useful demographic information, which in turn help to pinpoint future prevention, training, and victim care initiatives. According to our latest data, sexual assault continues to affect mostly our junior enlisted Marines. Recent prevention and training efforts—including the Commandant's Reawakening Campaign and the "Step Up" bystander intervention training program—have accordingly focused on junior enlisted Marines in their first two years of service. Furthermore, a significant number of sexual assaults occur between two Marines in the same unit, reinforcing the fact that victims and offenders are often acquainted, a finding that was echoed by the Commandant in May 2012: "Sexual assaults ... are mostly occurring in situations where the victims know their attacker. Sexual assaults are happening in our barracks, in the work place, on dates, and at parties." The following charts from third quarter FY14 illustrate the latest available sexual assault case demographics:

	SUBJECTS			
VICTIMS	FEMALE	MALE	UNKNOWN	TOTAL
FEMALE	1	40	4	45
MALE	1	11	3	15
TOTAL	2	51	7	60



Case Details:

The SAPR 8-Day Briefs also reveal important case details that allow , such as alcohol involvement, location of incident, whether an MPO was necessary, and how much time has passed between the incident and the report (latency, which is further discussed below under “Positive Trends”). The following charts from third quarter FY14 present the latest SAPR 8-Day Brief information regarding important case trends, which will continue to help the Marine Corps refine its efforts to enhance sexual assault prevention and response.



Victim Advocacy Survey

Fielded between November 2013 and May 2014, the Victim Advocacy Survey was designed to examine the effectiveness of services provided by the Marine Corps SAPR Program to victims of sexual assault. In order to achieve and maintain world-class victim care, it is imperative that Marine Corps leadership understand the impact SAPR services has on victims; the opinions, knowledge, and attitude regarding these services; the level of coordination and communication during response; and the overall satisfaction with the services provided. The survey revealed whether victims find the provided services useful and effective, and whether the effectiveness of services is enhanced by the level of coordination and communication among agencies that influence outcomes for sexual assault victims.

In addition, this survey aimed to identify what factors increase knowledge about SAPR services to target outreach and risk reduction activities, as well as understand which services are helpful and effective for good service planning, coordination, and follow-through. The survey data provided the Marine Corps with valuable, direct feedback from victims that we have been working to incorporate into our current service and future

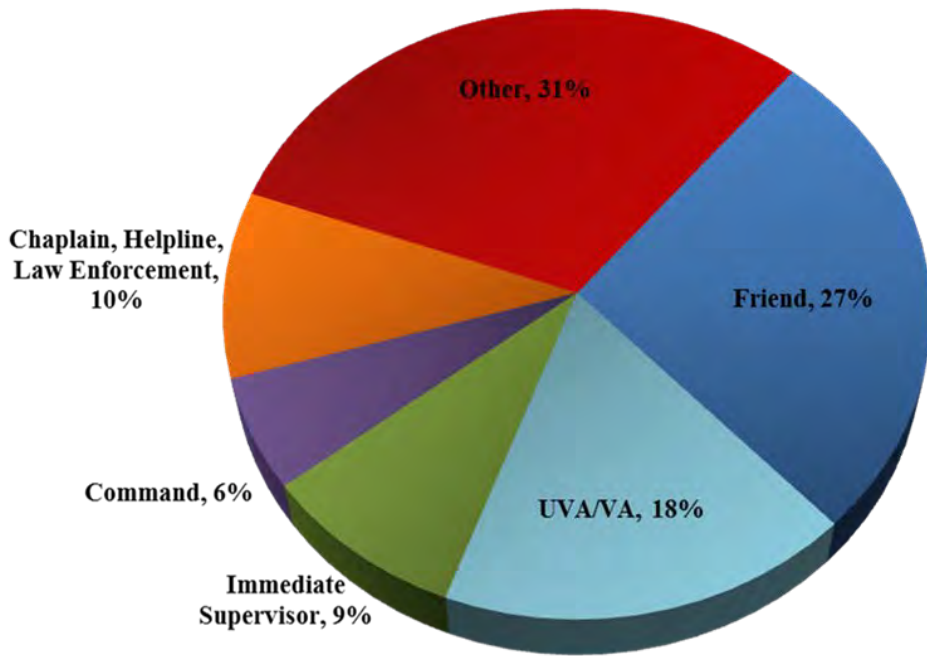
initiatives. The Survivor Experience Survey (SES), adopted for use by the entire Department of Defense, was largely based on the Marine Corps Victim Advocacy Survey.

The following findings were derived from data collected by the Victim Advocacy Survey, providing the Marine Corps with valuable insight into the perspective of the victim:

- The majority of survey respondents (61%) fall between the ages of 18 and 24, the highest at-risk demographic in the Marine Corps; 35% were between the ages of 25 and 34.
- The average length of time that victims received advocacy services was 7 months, with the longest being 41 months and the shortest being less than 1 month.
- Victims were largely satisfied with the services provided by SARCs and UVAs/VAs, who scored between 84% and 95% in the following areas: believing the victim, supporting the victim's decisions, and providing emotional support.
- Victims were satisfied with the privacy and sensitivity of the services. They expressed confidence that their privacy was protected by medical (78%) and mental health (94%), and that their cases were handled with sensitivity by law enforcement (71%) and legal (83%).
- Victims learned about UVA or VA support mostly through: Training (78%), Command (58%), and Fliers (36%).
- The greatest area for improvement based off victim feedback is providing follow-up information from law enforcement and legal services. Several victims expressed concerns about not always knowing the status of their cases.

In addition, the following charts were derived from data collected by the Victim Advocacy Survey:

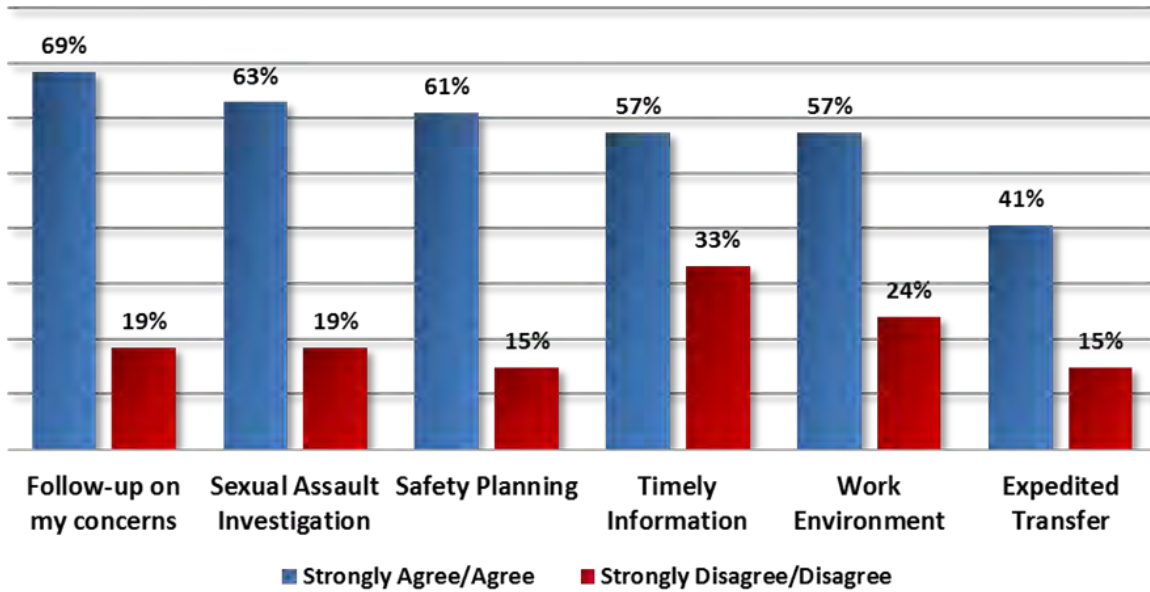
Which of the following did you contact first after the sexual assault?



USMC Victim Advocacy Survey, Nov2013–Mar 2014

SERVICE COORDINATION

Extent to which respondents agreed that service providers worked together:



USMC Victim Advocacy Survey, Nov2013–Mar 2014

Positive Trends

Increased Reporting

Between FY11 and FY14, victims in unrestricted and restricted reports increased by 147%. Between FY11 and FY12, the Marine Corps there was a 31% increase in victims in reports, coinciding with pre- and early-SAPR Campaign Plan initiatives “Take A Stand” training for NCOs, and All Hands training for every Marine. In FY13, there was a 93% increase in victims in reports from FY12, which included a 62% increase in unrestricted reports and a 201% increase in restricted reports. While FY14 saw a slight decrease (2.4%) in victims in reports, those in restricted reports continued to increase by another 21%. Another positive trend in FY14 is the high percentage of unrestricted reports made within three days of the assault, which increased by 9% over FY13. The overall increase since FY11, however, suggests that Marine Corps efforts are working to decrease perceptions of barriers to reporting (including shame, stigma, and fear of retribution), reaching victims who may have otherwise never reported at all.

Prior-to-Service Reporting

Prior-to-Service reporting data includes Marine Corps victims who file a report for sexual assaults that occurred prior to their joining the Marine Corps. The number of prior-to-service sexual assault reports have increased 53% between FY13 and FY14, which is tied to an increase in the number of restricted reports during that same period. This is due to the fact that the large majority of victims who report prior-to-service incidents are reporting to receive victim care services, rather than to initiate an investigation for incidents that have often occurred long ago.

That the majority (57%) of victims in restricted reports for FY13 and FY14 concern incidents that occurred prior to service is additional evidence that significant numbers of once-silent victims are coming forward to receive supportive services in the Marine Corps. While the Marine Corps encourages all victims to report an incident immediately, leadership fully understands the many barriers to reporting that victims face and has concentrated its efforts toward eliminating these perceived barriers. These barriers include a wide range of beliefs, including the fear of being punished, ostracized, or not being believed or supported.

Decrease in Prevalence of Marines Experiencing Unwanted Sexual Contact

Provisional analysis provided by the RAND Corporation of the 2014 Military Workplace Study, which measured the number of Marines experiencing unwanted sexual contact, suggests that in FY14, 8.44 percent of active duty Marine women and 0.66 percent of active duty Marine men experienced some form of Unwanted Sexual Contact in the year prior to being surveyed. This is a welcome downward development from USC rates observed in FY12 (10.1 percent for Marine women; 1.1 percent for Marine men). As the November 2014 RAND Military Workplace Study report states, much more analysis needs to be performed in order to understand how Marine Corps policy and cultural factors impact the data. For example, in-depth analyses of the demographic makeup of the Marine Corps, including factors such as age, number of first-time enlistees, education level, marital status, and seniority, may present a better understanding of how

the composition of the Marine Corps force affects survey results. However, the decrease in unwanted sexual contact prevalence in FY14 is encouraging, especially when taken together with other supporting indicators since FY12—to include positive developments in perception of leadership engagement, victim satisfaction with services, and willingness to intervene in high-risk situations.

CMC Command Climate Survey & DEOMI Organization Climate Survey

Marine Corps leadership engagement and accountability initiatives appear to have had a measurable impact in FY13 and FY14. According to the DEOMI Organizational Climate Survey, between third quarter FY13, fourth quarter FY13, and first quarter FY14, a continually increasing percentage of Marine respondents believe that their leadership promotes a climate that is free of sexual assault and would respond appropriately to a reported sexual assault. The CMC Command Climate Surveys since fourth quarter FY13 mirror the DEOMI findings:

CMC Command Climate Surveys – Percentage of respondents who agreed or strongly agreed with the following statement:			
	FY13, Q4	FY14, Q1	FY14, Q2
My unit provides a safe environment against sexual assault	87%	88.7%	89.8%
My unit provides a retaliation-free environment for those who report misconduct	75.9%	78.5%	78.2%
Leaders/Supervisors in my unit have made it clear that sexual assault is criminally unacceptable behavior.	88.9%	89.9%	90.9%
Leaders/Supervisors in my unit have set a command climate wherein sexual harassment is not tolerated.	87.2%	88.5%	89.1%

**Between FY12 and FY13, the percentage of victims who converted their initially restricted reports to unrestricted reports increased from 7% to 12%.*

The following table contains other findings from the DEOMI Organizational Climate Surveys between FY13 Q3 and FY14 Q1, including perceptions of leadership, bystander intervention, and knowledge of the restricted reporting option.

DEOMI Organizational Climate Surveys			
	FY13, Q3	FY13, Q4	FY14, Q1
My leadership promotes a climate that is free of sexual assault.	4.24 / 5.0	4.30 / 5.0	4.34 / 5.0
My leadership would respond appropriately in the event a sexual assault was reported.	4.32 / 5.0	4.34 / 5.0	4.41 / 5.0

Bystander Intervention: Moderate to Strong Likelihood that they would take action to intervene in a high-risk scenario.	3.79 / 5.0	3.85 / 5.0	3.9 / 5.0
True/False: A restricted report allows a Service member to report a sexual assault and get help, but without notifying command or criminal investigators.	88% correct	89% correct	90% correct

Additional Highlights

Workplace and Gender Relations Survey (WGRS) 2012

The 2012 WGRS showed an increase in awareness of SAPR initiatives across the Corps, which corresponded with the launch of the SAPR Campaign Plan. The survey confirmed our efforts to reach all Marines, with 97% of Marines indicating that they received SAPR training within the previous 12 months. The survey also reports the following positive trends:

- The 2012 WGRS indicated that 93% of female Marines and 88% of male Marines indicated they would intervene in a potential sexual assault situation—up from 91% and 77% indicated in the 2010 WGRS.
- Between 2010 and 2012, the percentage of Marines who would feel free to report sexual assault without fear of reprisals to a large or very large extent increased from 54% to 64% for Marine Corps women and from 69% to 83% for Marine Corps men.
- Marine Corps women are more likely than women in other Services to indicate awareness of VAs present on their installation, the DoD Safe Helpline, restricted reports (confidentiality from command), and expedited transfers. Most Marine Corps women (84–93%) and Marine Corps men (85–91%) indicated there was a VA and a SARC on their installation.
- Marine Corps women were more likely than women in the other Services to indicate they were satisfied with the quality of sexual assault advocacy services and quality of counseling services (77% and 75% respectively indicated they were satisfied).

Site Visits to Initial Military Training Environments

At the direction of the Secretary of the Navy, DON SAPRO conducted site visits to 23 entry-level military training locations across the Navy and Marine Corps from October 2012 to January 2013. HQMC SAPR accompanied DON SAPRO to the following Marine Corps sites: Marine Corps Recruit Depot (MCRD) San Diego; MCRD Parris Island; School of Infantry-West (Camp Pendleton, CA); School of Infantry-East (Camp Geiger, NC); Marine Corps Combat Service Support Schools (Camp Johnson, NC); Marine Corps Communication-Electronics School; and The Basic School (Quantico, VA). The site visits focused on observing the following two areas: the professionalism and oversight of instructors and the overall command climate with respect to gender issues and sexual assault in particular.

The findings from DON SAPRO's resulting report, published 7 February 2013, included the following "best practices":

- *Command Leadership*: The best settings involve spectrums of effort led by COs who are passionate about mentoring students, instilling core values, and holding offenders appropriately accountable. They are highly visible within their schools. Their approach encompasses sexual assault, alcohol incidents, hazing and harassment, and instructor integrity. They express personal responsibility for service communities. Their zeal is obvious to subordinates.
- *Commandant's Campaign Plan*: The Commandant in 2012 implemented a formal "Campaign Plan" against sexual assault. The document and strategy are noteworthy in their own right, but the Commandant's personal involvement has been especially powerful. Every Marine leader knew about dedicated General Officer meetings on sexual assault and stand-down training led by senior regional Commanders. Within the unique culture of the Marine Corps, the Commandant's intent is well understood.
- *Force Preservation Council*: Individual Marine Corps commands utilize a structured and multi-disciplinary approach to raise command-level awareness of any "at-risk" Marines, including but not limited to sexual assault victims, and to coordinate support or other action as necessary. The council meets monthly to keep Commanding Officers informed of those who are struggling with various issues. The emphasis is on safety and helping Marines maintain performance.
- *Chaplains*: Several schools make especially prominent use of Chaplains as student resources for protected conversations, and simultaneously as command assets in actively monitoring command climate. At many Marine Corps locations, Chaplains join young Marines in various activities and exercises, and leaders encourage students (even if they are not religious) to utilize Chaplains as a sounding board for personal issues. All Chaplains assigned to the Marine Corps have received specialized community training as sexual assault first responders.

Way Ahead

In an effort to maintain transparency of data trends and recent developments, as well as to keep lines of communication open with the fleet, HQMC SAPR has developed an internal communication strategy that includes a SAPR Roadshow, a monthly snapshot of SAPR status and reported incidents, "virtual" town hall meetings (video and written conversations posted online), and a social media campaign.

This three-pronged communication strategy comprises face-to-face engagements, traditional print media, and social media platforms. Spurred by Summer 2014 Roadshow of the SAPR Branch Head and enabled by the restructure of the SAPR Branch at the headquarters level, an increase in travel (face-to-face engagements between HQMC SAPR and installation Marines) is planned for FY15 that will help accomplish the following objectives:

- Serve as a model of engaged leadership that emphasizes every Marine's inherent duty to step up and step in to prevent sexual assault;

- Enhance and expand communications between HQMC SAPR and Marines of all levels
- Provide Marines with the status of their SAPR efforts;
- Provide HQMC SAPR with situational awareness of how Marines perceive the SAPR Program and efforts;
- Enable HQMC SAPR to measure the tempo of ground operations; and
- Enable HQMC SAPR to provide assistance with installation-level SAPR programs.

Starting in August 2014, the Marine Corps began the electronic distribution of a SAPR Monthly Snapshot, which is designed to provide Marines with an understanding of the ground situation of sexual assault in the Corps. The SAPR Monthly Snapshot enumerates the total number of reports filed each month and in the fiscal year to date. The document also provides metrics that detail SAPR progress in terms of command climate, response and accountability, and the demographics of sexual assault. Each of these topics will be addressed once per quarter, with the goal of tracking development over the long term. HQMC also produces brochures, newsletters, and other print media throughout the year to communicate with different audiences about SAPR efforts and progress.

In addition, the Marine Corps planned social media campaign will primarily utilize Facebook, Twitter, and YouTube. We anticipate developing the following types of material for social media: SAPR posts that are predominately visually-based "posters" with general messaging content, announcements (of new training, for example), or infographics for more detailed data; live "town hall" meetings done via Facebook; live "tweets" during briefs, speeches, or other events; and SAPR "commercials" with well-regarded Marines talking about SAPR. These and other communications efforts will help keep open the lines of communication with the fleet, enhancing our assessment efforts with first-hand accounts and direct feedback from the Marines.

Regarding the progress and data trends outlined above, the 36th Commandant of the Marine Corps, who assumed command in October 2014, has renewed the Marine Corps commitment to continuing and advancing SAPR efforts: "I see positive progress and indicators that the Marine Corps SAPR Program is going in the right direction. However, I also believe that there is still much work to do. We must continue to increase reporting and decrease prevalence. We need to emphasize prevention to include focusing on potential offenders, implore all Marines to be active and responsible bystanders, and integrate the SAPR Program with other aspects of behavioral health. Marines must all work together to create an environment in which crimes of misconduct are not tolerated in any form."



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Fiscal Year (FY) 2014 Sexual Assault Statistical Report Data Call for Sexual Assault in the Military: United States Marine Corps

1. Analytic Discussion

Background: DSAID

In accordance with the National Defense Authorization Act (NDAA) for 2009, section 593, the Department of Defense (DoD) was tasked to develop a centralized, case-level database for the collection and maintenance of information regarding sexual assaults involving members or the Armed Forces. As a result, the Defense Sexual Assault Incident Database (DSAID) was created for Service-wide implementation.

As discussed in the FY13 DoD Annual Report on Sexual Assault in the military, beginning with FY14, the Department is using DSAID as the system of record to populate the DoD Annual Report on Sexual Assault in the Military, as well as to inform the DoD's Progress Report to the President of the United States (POTUS). The Department is producing this information in two phases:

- **Phase One:** Provisional data about USMC reports of sexual assault the Department received in FY14 are being published in this POTUS report. This data are intended to produce top-line numbers and limited analyses of sexual assaults reported to DoD.
- **Phase Two:** Finalized data about USMC reports of sexual assault the Department received in FY14 will be published in the DoD's Annual Report to Congress. This data will provide an in-depth analysis of sexual assaults reported to DoD as mandated by Congress, as well as the Department's plans for program improvement. This report is due to the Congressional Committees on the Armed Services no later than 30 April 2015.

In order to produce relevant reports, DSAID relies on data from multiple sources, including Sexual Assault Response Coordinators (SARCs), Headquarters Marine Corps (HQMC) Sexual Assault Prevention and Response (SAPR), HQMC Military Justice Branch legal officers, Naval Criminal Investigative Service (NCIS) agents, and the proper interface between DSAID and NCIS' Consolidated Law Enforcement Operations Center. As the source for victim, subject, incident, and legal disposition information for sexual assaults in the Marine Corps in FY14, DSAID was used to calculate the provisional information reported herein.

Number of Reports vs. Number of Victims

With the implementation of DSAID came new guidelines for the accounting of Unrestricted Reports. Prior to the implementation of DSAID, Unrestricted Reports were recorded as the number of sexual assault cases, as reported by NCIS, the Military Criminal Investigation Organization (MCIO) for the Marine Corps. Thus, one Unrestricted Report or open investigation of sexual assault did not always equate to one victim of sexual assault, because one report or investigation may involve multiple victims. Therefore, the number of Unrestricted Reports has historically been lower than the number of known victims. Starting in FY14, however, each and every victim identified in an open investigation or in an Unrestricted Report is counted within DSAID as an individual report, regardless of whether that victim elects to formally file an

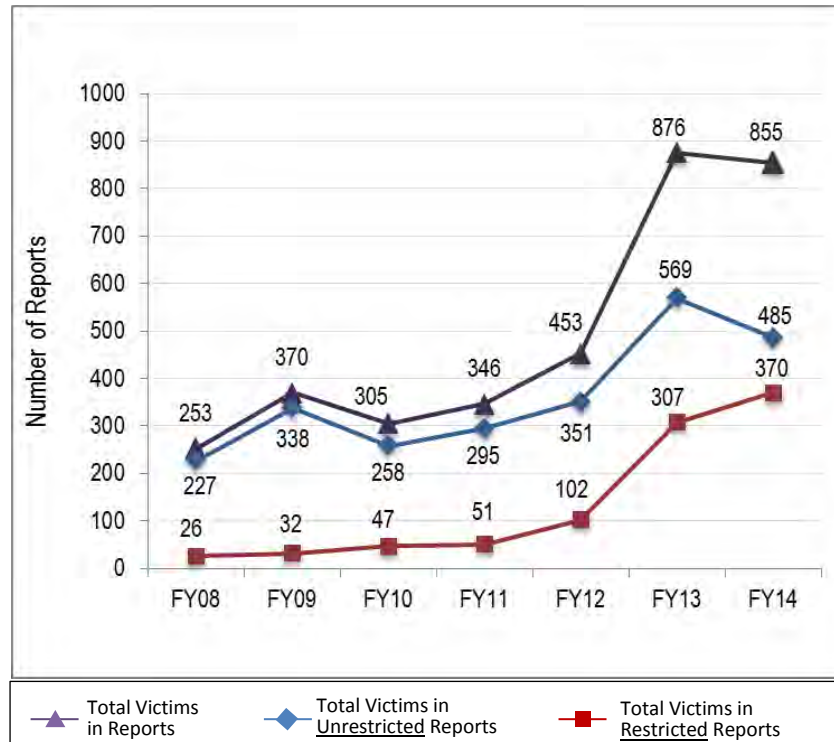
Unrestricted or Restricted report. Restricted Reports have always involved one victim per reported incident.

Effective FY14, the Office of the Secretary of Defense (OSD) has mandated that Annual Reports emphasize the number of victims, vice reports, in the reporting data. This POTUS report will also use the number of victims in reporting data between FY08 and FY14. As a result, comparing other findings across years (i.e., demographics, alcohol involvement, etc.) proves challenging, as the only readily available data for FY08 through FY13 is that found in the DoD Annual Reports, which again is based on the number of reports, not victims. Thus, developments and trends extended to FY14 are not perfect continuations of like data, but the best possible approximations based on what is available.

Reports of Sexual Assault: FY08–FY14

The Marine Corps has maintained its high rate of reporting, despite seeing an overall decrease of 2.4% in the number of victims in FY14 reporting data compared to FY13, which had a 93% increase from FY12. As shown in Figure 1 below, the 855 victims in FY14 reports of sexual assault include 485 victims in Unrestricted Reports and 370 victims in Restricted Reports.

Figure 1: Number of USMC Sexual Assault Victims in Reporting Data (FY08–FY14)



Note: 11 of the 485 victims in FY14 Unrestricted Reports were victims who filed a Restricted Report in a previous year, but who converted that report to an Unrestricted Report in FY14. All relevant FY14 data discussed herein centers on the remaining 474 victims in Unrestricted Reports filed in FY14.

Between FY13 and FY14, the number of victims in Unrestricted Reports decreased by 15%, while the number of victims in Restricted Reports increased by 21%. This increase in Restricted Reports is largely a result of reports made for incidents that occurred prior to joining the Marine Corps. These and other trends are discussed in the following section.

Estimated Prevalence vs. Reporting

The 2014 RAND Military Workplace Study is the latest iteration of a confidential survey fielded biennially used to estimate the number of service members experiencing sexual assault in the Marine Corps. According to this study, the Marine Corps saw a decrease in the estimated prevalence of unwanted sexual contact between FY12 and FY14. As shown in Table 1, the provisional analysis provided by the RAND Corporation suggests that in FY14, approximately 8.44 percent of active duty Marine women and 0.66 percent of active duty Marine men experienced some form of Unwanted Sexual Contact in the year prior to being surveyed. This is a welcome downward development from unwanted sexual contact rates observed in FY12 (10.1 percent for Marine women; 1.1 percent for Marine men).

Table 1: Marines Experiencing Unwanted Sexual Contact Using WGRA Methodology

Year	Overall	% Females in Total Active-Duty Force	% Males in Total Active-Duty Force
CY06	~3,700	11.9	1.4
FY10	~3,100	6.6	1.2
FY12	~3,300	10.1	1.1
FY14	~2,300	8.44	0.66
<small>WGRA: Workplace & Gender Relations Survey for Active Duty Members</small>			

This decrease does not yet establish a stable trend line. Large-scale Marine Corps prevention initiatives need more time to be further integrated. In addition, as the November 2014 RAND Military Workplace Study report states, much more analysis needs to be performed in order to understand how Marine Corps policy and cultural factors impact the data. For example, in-depth analyses of the demographic makeup of the Marine Corps, including factors such as age, number of first-time enlistees, education level, marital status, and seniority, may present a better understanding of how the composition of the Marine Corps force affects survey results. However, the decrease in unwanted sexual contact prevalence in FY14 is encouraging, especially when taken together with other supporting indicators since FY12—to include positive developments in perception of leadership engagement, victim satisfaction with services, and willingness to intervene in high-risk situations. The continuation of Marine Corps SAPR initiatives should lead to further promising results.

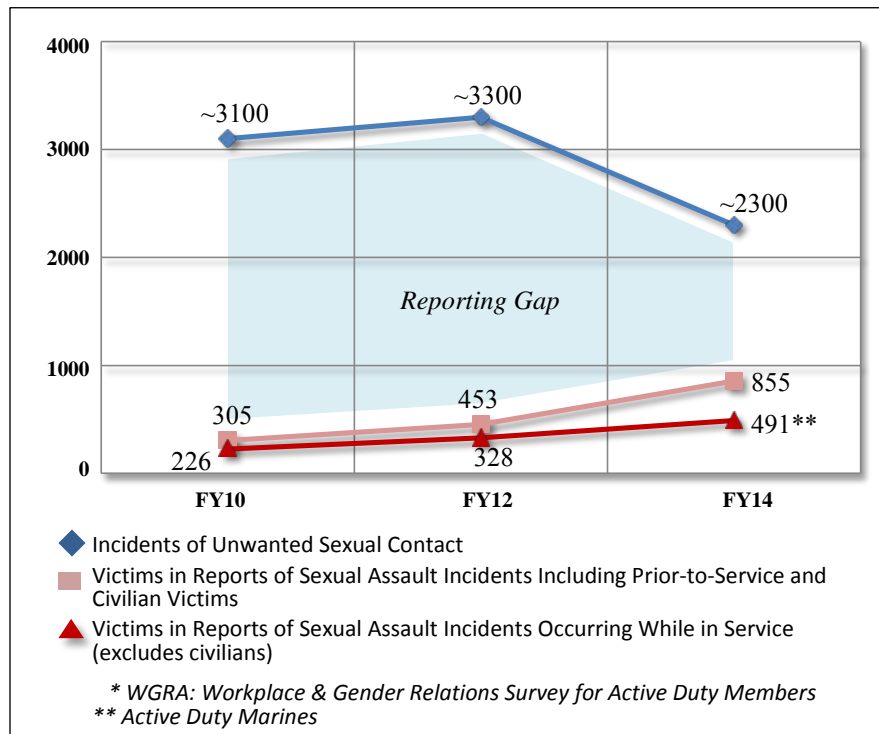
Reporting Gap:

The FY12 reporting gap—that is, the difference between the approximate number of unwanted sexual contact incidents and those *in-service* incidents that were reported—was approximately 90%. The equivalent statistic for FY14 is 79%, suggesting that the reporting gap is closing, as shown in Figure 2.

Ultimately, the Marine Corps wants the reporting data to match the number of incidents experienced, which would mean that all victims are receiving access to advocacy services. The Marine Corps will continue to use the survey results to assess progress in closing the reporting gap, both from the perspective of reducing incidents and increasing reporting.

Eliminating sexual assault completely from the Corps remains our ultimate goal, but our efforts must also continue to focus on creating an environment in which victims feel safe in coming forward.

Figure 2: Reporting vs. Marines Who Experienced Unwanted Sexual Contact Using WGRA Methodology*



Explanation and Implications of the Data

Given the highly underreported nature of sexual assault, the Marine Corps is encouraged by the overall positive reporting trend since FY11. Victims continue to come forward, following the implementation of large-scale efforts to raise awareness of the definition of sexual assault and available SAPR resources, as well as to increase confidence and trust in the Marine Corps response system.

Demographics

Female Marines between the ages of 18 and 24 and between the ranks of E1 and E4 continue to be the highest at-risk demographic, comprising the majority of victims in both Unrestricted and Restricted Reports. However, the number of male victims in reporting data, especially junior enlisted males, has increased every year since FY12. Increased reporting is a positive indicator, as the Marine Corps recognizes the stigma associated with all reporting, especially pertaining to males, and is dedicated to eliminating all barriers to reporting.

Given this the identified at-risk demographics, Marine Corps prevention efforts have focused on these critical periods within a Marine's career. The Marine Corps "Step Up" training program, designed specifically for junior enlisted Marines (E1 to E3), was released in June 2014, focusing on bystander intervention but including lessons pertaining to healthy relationships and reporting options. In addition, since the launch of

the SAPR Campaign Plan in June 2012, the Marine Corps has implemented its “Whole of Character” training for enlistees in the Delayed Entry Program; updated its SAPR training at the Recruit Depots; and mandated all newly promoted noncommissioned officers (NCOs) (E4 and E5) to complete the “Take A Stand” bystander intervention training as an annual training requirement.

The Marine Corps has begun to enhance our existing support to male victims of sexual assault and is developing initiatives designed to identify and dispel myths surrounding male sexual assault and mitigate stereotypes surrounding male victimization. One example of our recent efforts is an inter-Service working group arranged and hosted by HQMC on 30 September 2014 that included SAPR representatives from each Service and DoD SAPRO, as well as representatives from NCIS and the HQMC Behavioral Health Program. The speaker was Dr. James Hopper, an independent consultant, therapist, researcher, and clinical instructor of psychology at Harvard Medical School. His presentation was titled *Outreach to Males Sexually Assaulted in the Service: Foundations, Basics, Next Steps*.

Prior-to-Service Reporting

Prior-to-Service reporting data includes Marine Corps victims who file a report for sexual assaults that occurred prior to their joining the Marine Corps. The number of prior-to-service sexual assault reports has increased between FY13 and FY14, which is tied to an increase in the number of Restricted Reports during that same period. This is due to the fact that the large majority of victims who report prior-to-service incidents are reporting to receive victim care services, rather than to initiate an investigation for incidents that have often occurred long ago. Thus, about half of all Restricted Reports in FY14 involved female Marines being victimized—under the age of 18 and prior to becoming a Marine—by non-Service member offenders. Female Marines in the pay grade of E1 comprise the majority of these Marines making prior-to-service reports. For many, the Marine Corps affords them the first opportunity to discuss their previous sexual assaults. For some, it is their first time away from their offender.

Of the 855 victims in FY14 reports for the Marine Corps, 270 were for prior-to-service incidents, including 230 victims in Restricted Reports and 40 victims in Unrestricted Reports. Of the 876 FY13 victims, 177 were for prior-to-service incidents, including 158 Restricted Reports and 19 Unrestricted Reports. Without counting prior-to-service incidents, victims in reports decreased from FY13 to FY14 from 699 to 585.

The increase in prior-to-service reporting within the Marine Corps can be attributed to the increase in SAPR initiatives being implemented at the Marine Corps Recruit Depots (MCRD). All Marine Corps recruits, both male and female, receive four separate SAPR-related trainings during recruit training. SAPR training is conducted by a Uniformed Victim Advocate (UVA) on the first day of arrival to recruit training. The second is a brief given by the MCRD academics department on Training Day 10. The third is a foot locker discussion with their Senior Drill Instructor, which occurs at Training Day 50. The fourth occurs at the end of recruit training and consists of the Marine Corps *Lost Honor* video, which includes interviews with four Marines convicted of sexual assault, each

recounting the various circumstances and decisions leading up to the incident. Each of these training sessions covers supportive services available to all victims of sexual assault, regardless of when the incident occurred.

Location and Time

Regarding the location of sexual assaults in FY14, incidents in Unrestricted Reports occurred predominately on base, with the majority of assaults taking place in a residence, which includes apartments, condominiums, quarters, and barracks. For Restricted Reports, sexual assaults were more likely to occur off base rather than on base, which again is influenced by the large percentage of prior-to-service reports.

Regarding when sexual assaults are most likely to occur, FY14 data shows that most Unrestricted Reports were filed for incidents that occurred between Friday and Sunday between the hours of 1800 and 0600. This data is consistent with information recorded for Unrestricted Reports in FY12 and FY13. No conclusions can be made regarding the day or time for Restricted Reports, as a significant number of victims provided limited information.

Given these trends, the Marine Corps has recently taken measures to enhance oversight and increase watchstanders in the barracks. These include the return of NCOs to the barracks to provide leadership to the maximum extent possible; increased presence of senior officers and staff NCOs (SNCOs) at the barracks, especially between 2000 and 0400; and the assignment of company-grade officers as officers on duty and SNCOs as staff officers on duty at the barracks. In addition, television and video games are not allowed in the watchstander's place of duty. In addition to sexual assault prevention, these enhancements were implemented to reduce several behavioral problems, including hazing, fraternization, and alcohol misuse.

Alcohol

In FY14 as recorded in DSAID, alcohol continued to be a contributing factor for Unrestricted Reports of sexual assaults. Just under half of all FY14 Unrestricted Reports involved alcohol use by the victim, subject, or both, which is consistent with FY13 Unrestricted Report data. In addition, approximately 30% of all FY14 Restricted Reports involved alcohol use.

Recent Marine Corps efforts to improve safety and reduce the risks posed by alcohol include revisions and updates of policy pertaining to the proper training of alcohol providers, the enforcement of responsible sales practices, awareness efforts including public service announcements, and "Whole of Character" training programs for new Marines that address alcohol misuse directly and emphasize responsible and ethical behavior. Regarding alcohol sales policies specifically, the Marine Corps Order on Alcoholic Beverage Control is being updated to reflect, among other changes, new restrictions of on-base retail alcoholic beverage sales being limited to the hours of 0800 to 2200, as well as the complete removal of distilled spirit products from sites adjacent to barracks.

Way Ahead

Overall, the FY14 reporting data for the Marine Corps reinforces the findings of FY12 and FY13 data, on which most of the recent Marine Corps SAPR initiatives have been based. One positive finding that stands out in FY14 is the high percentage of Unrestricted Reports made within three days of the assault, which increased by 9% over FY13. The sooner reports are filed, the sooner the Marine Corps can provide supportive services to victims and the sooner evidence can be collected. A decrease in the latency of filed reports also suggests that command climates continue to shift in positive ways; with more Marines willing to report incidents earlier, barriers to reporting (such as the fear of loss of privacy or the fear of negative impact to career) appear to be slowly declining. These factors all speak to the large-scale efforts undertaken since FY12 to not only increase the awareness of and confidence in the response system, but to implement initiatives that enhance all aspects of the response system. In the last three years, these initiatives have included improvements to the following capacities: access to 24/7 crisis intervention, nationally accredited first responder credentialing requirements, discrete medical and mental health accessibility, surge-style investigative processes, specially trained prosecution teams, and multidisciplinary coordination.

The USMC SAPR Campaign Plan is currently in Phase II, which was expanded in April 2014 to build upon the energy and momentum of our efforts thus far, while addressing and exploring newfound gaps and areas of improvement. Based on new and continued data trends, more initiatives will be developed in support of the SAPR Campaign Plan. For example, the SAPR Program will expand its ability to drill down into specific data to better understand the parameters surrounding each incident of sexual assault, including the effect across different demographics, such as gender, rank, and age. By identifying overarching trends—including why Marines choose not to report (barriers to reporting) and the experiences of Marines who do report—the Marine Corps can evaluate the impact and effectiveness of all aspects of our SAPR program, from victim services to command climate. From these factual-based analyses, we will leverage best-of-class initiatives to effectively help high-risk individuals (both potential victims and potential offenders) from actually becoming victims and offenders.

Ultimately, the third and final phase of the SAPR Campaign Plan must ensure the lasting sustainment of our progress to date. While the Marine Corps has increased its ability to respond to sexual assaults, the larger mission of getting further left of this problem remains. Ultimately, the goal is to stop sexual assaults before they occur. To this end, the Marine Corps will continue to assess trends in its reporting data, as well as survey findings pertaining to victim satisfaction, command climate, bystander intervention, and leadership engagement, so that further programmatic gaps can be identified and areas of focus can be effectively addressed. The data presented herein offers a snapshot of an ongoing fight, and will be used to develop future strategies to further advance our progress.

2. Unrestricted Reporting

In FY14, the Marine Corps reported 485 victims via Unrestricted Reports, compared to 569 in FY13, marking a 15% decrease. Note: 11 of the 485 victims in FY14 Unrestricted Reports were victims who filed a Restricted Report in a previous year, but who converted that report to an Unrestricted Report in FY14. All relevant FY14 data discussed herein centers on the remaining 474 victims in Unrestricted Reports filed in FY14.

Type of Offenses

Of the 474 reports based on data reported via DSAID, approximately 47% (223) were categorized as penetrating offenses, 25% (119) as contact offenses, and 28% (132) currently could not be categorized. With assistance from DoD SAPRO, HQMC SAPR is analyzing the factor(s) contributing to this uncategorized percentage, which would alter current percentages for both offense types and provide better FY13 comparisons.

A penetrating crime is defined by the Uniform Code of Military Justice (UCMJ) as Rape, Aggravated Sexual Assault (pre-June 2012 UCMJ wording), Sexual Assault (post June 2012 UCMJ wording), Forcible Sodomy and Attempts to Commit these Offenses. A non-penetrating crime as defined by the UCMJ is Abusive Sexual Contact, Wrongful Sexual Contact, Indecent Assault, and Attempts to Commit these Offenses.

2.1. Victim Data Discussion and Analysis

Victim Gender and Age For All Victims

In FY14, the genders of the 474 Unrestricted Report victims were categorized as follows:

- 67% (317) female
- 25% (119) male. FY13 recorded 110 male victims and 37 in FY12.
- 8% (38) not recorded

For age, a large majority of male and female victims were age 18 to 24. This data remains consistent with FY13 and FY12 data for gender and age of victims.

Victim Type For All Victims

Of the 474 total victims, 82% (387) were military, 10% (49) were non-service members, and 8% (38) were not classified. Of the 387 military victims, 70% (269) were females and 30% (118) males. As in FY12 and FY13, the largest percentages of victims in FY14 were military members.

Subject-Victim Categorization For All Victims

Of the 474 total victims, DSAID breaks down the subject/victim classification in one of four ways: Service member on Service member; Service member on non-Service member; non-Service member on Service member; unidentified subject on Service member. Approximately, 43% (202) of the Unrestricted Reports are categorized as Service member victimizing another Service member, but this data is provisional preventing comparison to past FYs. Additional research is required between DoD and HQMC SAPR to categorize the remaining victims.

Military Victim Age, Rank, and Duty Status

Of the 387 Service member victims, 269 (70%) were female and 118 (30%) were male victims, who were predominantly between the ages of 18 and 24 in the pay grades of E1 to E4. The most common pay grade for both males and females was E3. The large majority of military victims were active duty Service members.

Victims Declining to Participate in the Military Justice Process: Metric #8

The number of victims declining to participate in the military justice process has decreased from 16% in FY11 down to 8% in FY14. This steady drop in victim declinations corresponds with the Marine Corps increased efforts to support victims. Since 2011, the Marine Corps established several initiatives to improve services to victims and increase their willingness to participate in the military justice process including the establishment of Sexual Assault Response Teams (SARTs), multidisciplinary first responders who coordinate and provide compassionate victim care; implemented a Victim Assessment Survey to measure victim satisfaction with medical, legal, advocacy, counseling, and related services in order to address any shortfalls; implemented 24/7 Helplines at every Marine Corps installation to provide victims with immediate access to support; and increased staffing of SAPR personnel, including additional SARCs and VAs. In addition, continued emphasis on special victims' investigation and prosecution and the establishment of the Victims' Legal Counsel Organization show the Marine Corps' commitment to ensuring victims are treated with the utmost dignity and respect throughout the military justice process.

Combat Areas of Interest (CAI)

As recorded by DSAID, the Marine Corps documented only one Unrestricted Report and one Restricted Report of sexual assault in the defined CAI during FY14. The Unrestricted Report was an off-base incident that was reported in Afghanistan by a female Marine, pay grade E3 and age 20. The Restricted Report occurred in Iraq in 2008 but was not reported until September 2014. The victim was a female Marine who at the time of the incident was an E4 age 27. This is a noticeable decrease from the 12 sexual assaults reported in CAIs in FY13 and 9 in FY12.

Military Protective Orders

A Military Protective Order (MPO) can be issued by the Commander through DoD Form 2873, which orders two or more persons to discontinue any future contact or communication in person, via technology, or through a third party until a specified date. MPOs are most useful in situations in which the named parties are in close proximity, such as stationed on the same installation or housed in the same dwelling, and in situations where interaction may disrupt good order and discipline. For FY14, Commanders issued 123 MPOs at the request of the victim or on behalf of the victim's protection. Only one report of an MPO violation by the subject was recorded. A total of 231 MPOs were issued in FY13 and 222 in FY12.

Expedited Transfers

In FY14, DSAID recorded 35 expedited transfer requests, 31 of which requested a change of installation, frequently called Permanent Change of Station (PCS) orders.

Four were requests for a unit change within or near the installation, commonly called Permanent Change of Address (PCA) orders. Internal records within HQMC SAPR recorded 58 expedited transfers, of which 41 were PCS orders and 17 were PCA orders. Additional reconciliation is required between HQMC SAPR and respective SARC's to accurately record transfers within DSAID. No PCS or PCA orders were denied. There were 56 expedited transfer requests recorded in FY13 and 34 in FY12.

2.2. Subject Data Discussion and Analysis

Demographic Trends for Subjects

Data analyzed in this section was compiled from investigations completed in FY14. These investigations may have been opened in current or prior FYs. There were a total of 540 subjects for investigations completed in FY14. Of these investigations, a vast majority were male, military subjects serving in the Marine Corps in the pay grade E1 to E4. This was in line with FY13 and FY12 subject data.

Disposition Trends, Command Actions for Military Subjects (Non-Metric #1) and Sexual Assault Court-Martial Outcomes (Non-Metric #2)

In FY14, there were approximately 348 subjects whose cases were presented to Commanders for disposition. Sufficient evidence supported Commander action against 69% (239) subjects or cases that were presented to Commanders. Of those cases, Commander action was not possible in 29% (101) of the cases. For the 101 cases where command action was not possible, 29% was due to the victim declining to participate and 71% due to insufficient evidence of any offense to prosecute. In the remaining 2% (8) of cases submitted to Commanders for possible action, these cases did not move forward due to the allegation being unfounded by command and legal review.

In the 239 cases where the Commander action was taken, the evidence supported sexual assault adjudication against approximately 75% (179) of the subjects and adjudication for other misconduct charges against approximately 25% (60) subjects. In the 60 cases where the evidence did not support sexual assault adjudication, the investigation identified other misconduct that was detrimental to good order and discipline. Of these 60 cases, court-martial charges were preferred against approximately 13 subjects, 28 subjects received non-judicial punishment, 5 received administrative separations and 14 received other adverse administrative action.

In the cases where Commander action supported adjudication for a sexual assault, the Marine Corps preferred sexual assault charges against 159 subjects. Of those cases, 65% (103) proceeded to trial. Of those 103 cases, 75 subjects were convicted of at least one charge at trial. Both the number of preferrals and courts-martial for sexual assaults in FY14 were an increase from FY13 when the Marine Corps preferred sexual assault charges against 113 subjects and 90 cases proceeded to trial.

Looking specifically at penetrating crimes, and excluding contact offenses, in FY14 63% (70) of penetrating cases proceeded to court-martial and approximately 70% (49) of those resulted in convictions. For non-penetrating crimes, 70% (33) of cases proceeded to trial and 79% (26) of those resulted in convictions.

Combat Areas of Interest (CAI)

As recorded by DSAID, the Marine Corps had one victim in an Unrestricted Report of sexual assault initiated in a CAI, which occurred in Afghanistan. The investigation for this sexual assault was completed in FY14. The subject was identified as a male foreign national, age 22, who was outside DoD UCMJ jurisdiction.

2.3. Reporting Data Discussion and Analysis

Incident Location

Of the 474 Unrestricted Reports of sexual assault in FY14, approximately 48% (226) occurred on base, 30% (144) occurred off base, and for 22% (104) of the reports victims did not record a location. In FY13, approximately 56% of the assaults occurred on base and 39% off base. For FY12, 55% occurred on base, and 40% off-base.

Location Type

Specifically for the 387 military members who made Unrestricted Reports, less than half of the assaults were classified in DSAID as occurring in a victim's home, apartment, condominium, quarters, barracks, BEQ, or BOQ.

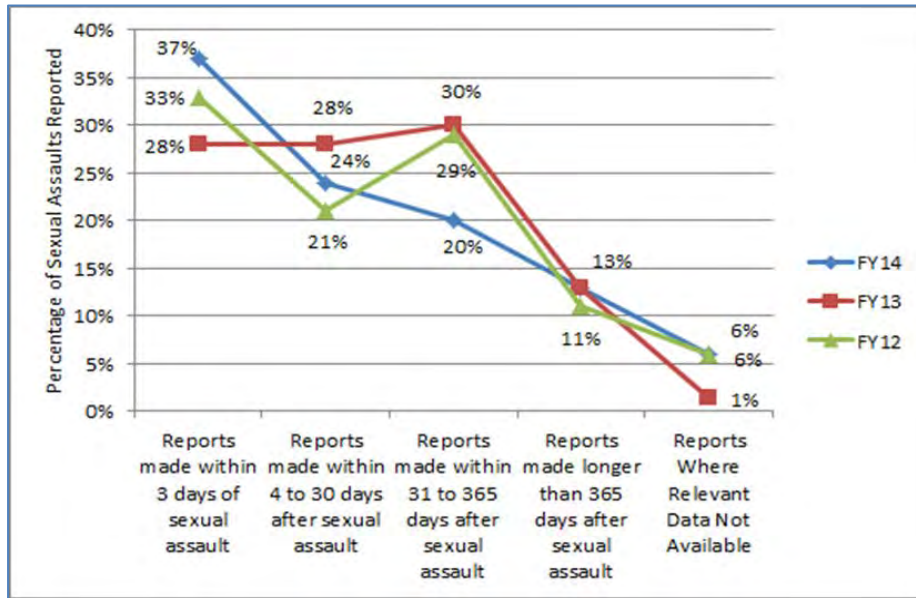
Day and Time of Assault

For the 474 Unrestricted Reports of sexual assault, incidents occurred each day of the week, however, Fridays, Saturdays, and Sundays were the most reported accounting for 55% (262). Fifty-one percent of incidents in FY13 and 63% of incidents in FY12 occurred on Fridays, Saturdays, and Sundays. For time of incident, the 1800 to 2400 and the 2400 to 0600 timeframes accounted for 33% (155) and 32% (153) of the reports, respectively. In FY13, these same two timeframes, 1800 to 2400 and 2400 to 0600, accounted for 26% and 27% of the reports, respectively.

Victim Reporting Latency

For victim reporting latency defined as the period of time from when a sexual assault occurred to the incident being reported, Figure 3 below shows FY14 with the highest percentage of reports recorded within three days of the incident.

Figure 3: Sexual Assault Victim Reporting Latency for Unrestricted Reports From FY12 to FY14



Alcohol and Drug Use

In regards to alcohol use for all Unrestricted Reports filed in FY14, just under half involved use by either the victim, subject, or both. For FY13 and FY12, 48% and 46% of the Unrestricted Reports involved alcohol. For illicit or prescriptive drug use, a very small number of incidents reported involved use by the victim, subject, or both. In FY13, illicit or prescriptive drug use was reported as a possible contributing factor for only two Unrestricted Reports. It is important to acknowledge that alcohol and drug use, as reported here, is not derived through empirical evidence such as toxicology reports but rather through self-reporting and therefore may reflect a reporting bias on behalf of the victim, subject, and collateral witnesses.

Investigations

NCIS was the predominant investigative authority for service members, however, a small number of service members were also investigated by Army CID, Air Force OSI, and civilian, or foreign law enforcement. In FY14 according to NCIS tracking information, NCIS initiated 443 investigations and completed 647, including investigations begun in previous years. In FY13, 501 investigations were initiated and 531 were completed. In FY12, 333 investigations were initiated and 334 were completed.

3. Restricted Reporting

Restricted reports are not reported to law enforcement or to a service member's chain of command. SARCs do not indicate the types of offenses for Restricted Reports, as they are self-reported and may or may not meet the definition and criteria of the UCMJ offenses. For all Restricted Reports, the SARC's focus is on support services (e.g., crisis intervention; referrals to advocacy, medical, counseling services; etc.) and case management.

For FY14, the Marine Corps reported 370 victims via Restricted Reports. This is a 21% increase in the number of victims filing a Restricted Report compared to FY13. The greatest contributor to this increase is the number of prior-to-service Restricted Reports made. In FY14, there were 230 prior-to-service reports compared to 158 in FY13, a 46% increase. For FY14, a large percentage of the prior-to-service reports were made by female recruits to SARCs or UVAs at the recruit training depot. The Marine Corps has made a concerted effort to engage with recruits about what constitutes a sexual assault, their reporting options, and services available.

3.1. Victim Data Discussion

Victim Gender and Age For all Victims

In FY14 for gender, the 370 victims were categorized as follows:

- 83% (308) female.
- 17% (62) male. FY13 recorded 59 male victims and 12 in FY12.

As with FY14, FY13 and FY12 also recorded a large percentage of female victims. For age, 63% (233) of the victims were under the age of 20. Due to the large percentage of victims reporting unknown for their age at the time of the incident in FY13, FY14 age comparison is not possible. For FY12, the majority of victims 52% (57) were between 20 and 24.

Victim Type For All Victims

Of the 370 Restricted Reports, 98% (363) were military and 2% (7) were non-Service members victims. Of the 363 military victims, approximately 83% (301) were females and 17% (62) males. As in FY12 and FY13, military members were the largest percentages of victims in FY14.

Subject-Victim Categorization for All Victims

Of the 370 total victims, DSAID breaks down the subject/victim classification in one of four ways: Service member on Service member; Service member on non-Service member; non-Service member on Service member; unidentified subject on Service member. FY14 data classified below:

- 53% (195) involved non-Service member victimizing a Service member
- 23% (85) Service member on Service member
- 14% (53) Unidentified subject on a service member
- 2% (7) Service member on non-service member
- 8% (30) were not categorized by DSAID

FY13 and FY14 both recorded more sexual assaults occurring between non-Service member and Service member. This is attributed to the large percentage of prior-to-service reports comprising total number of Restricted Reports for each year; therefore, more assaults were committed by non-service members. FY12 recorded more assaults between Service member on Service member.

Military Victim Age, Rank, and Duty Status

Of the 363 service member victims, female victims were predominantly under the age of 21. For male victims, no clustering of age groups was evident.

For pay grade, a vast majority of both male and female military victims were pay grade E1–E4 with the largest number for both genders in the pay grade of E1. This correlates to the high percentage of prior-to-service to service reports made at the recruit depots. Of the military victims, 99% (358) were active duty service members.

Combat Areas of Interest (CAI)

DSAID recorded one Marine Corps Restricted Report of sexual assault in the defined CAI during FY14, compared to four in FY13 and zero in FY12. FY14's sole Restricted Report occurred in Iraq in 2008 but was not reported until September 2014. The victim was a female Marine who at the time of the incident was an E4 age 27.

3.2. Reporting Data Discussion

Incident Location

Of the 370 Restricted Reports of sexual assault in FY14, approximately 58% (216) of the incidents occurred off base, 13% (49) occurred on base, 21% (76) of the victims did not identify the assault location, and 8% (30) could not be classified in DSAID. In FY13, approximately 46% occurred off base, 16% on base, and 38% in an unidentified location. In FY12, 41% occurred off base, 55% on base, and 4% in an unidentified location.

Location Type

For the 363 military members who made Restricted Reports, a majority of the assaults were classified as occurring in a victim's home, apartment, condominium, quarters, barracks, BEQ, or BOQ.

Day and Time of Assault

For the 370 Restricted Reports, assaults were recorded each day of the week, however, 56% (206) of the victims could not or did not provide a day the assault occurred. Additionally, 30% (111) of the victims could not or did not provide a time of sexual assault incident. Because of the large percentage of unknown for day of week and time of day for incident, a comparison is not feasible with FY13 or FY12 data.

Alcohol and Drug Use

Of the 370 Restricted Reports filed in FY14, approximately 30% involved the use of alcohol by the victim, subject, or both. For illicit or prescriptive drug use, a very small number of incidents reported involved use by the victim, subject, or both. It is important to acknowledge that alcohol and drug use, as reported here, is not derived through empirical evidence such as toxicology reports but rather through self-reporting and therefore may reflect a reporting bias on behalf of the victim, subject, and collateral witnesses.

Trends in Restricted Reporting Conversions

In FY14, 426 victims initially filed a Restricted Report, however, 56 victims chose to convert to an Unrestricted Report, a 51% increase from FY13 (37).

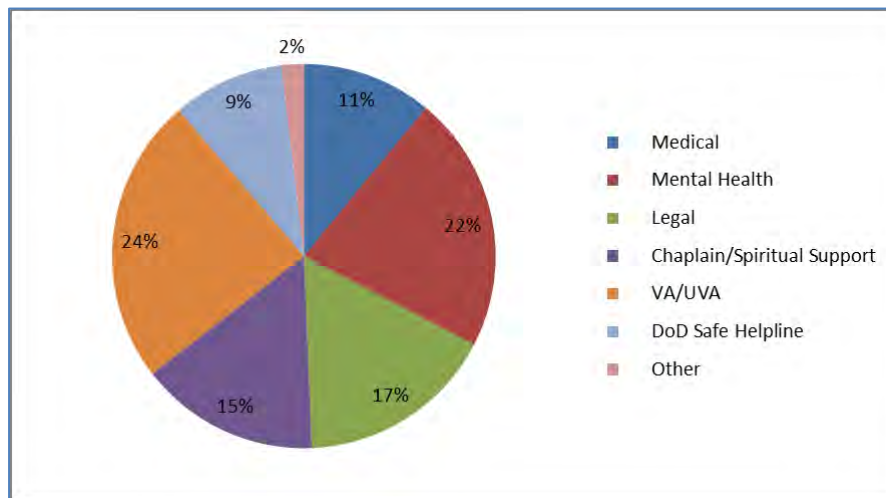
4. Service Referrals for Victims of Sexual Assault

4.1. Unrestricted Report Referral Data Discussion

Summary of Referral Data for Military Victims Filing Unrestricted Reports

Of the 387 military members who filed an Unrestricted Report, a total of 1,335 support service referrals were made, a ratio of 1 to 3.4 compared to FY13's ratio of 1 to 8.23 and FY12's ratio of 1 to 10.5. The decrease from previous FYs is attributed to the transition of data entry processes into DSAID. Referrals were provided by SARCs when the victim requested or conveyed a need for service, including military and/or civilian medical, military and/or civilian victim advocacy, mental health, legal, or chaplain services. Of the total 1,335 support service referrals in FY14, 1,220 (91%) were made to military support services, with 115 (9%) referrals made to civilian resources. Figure 4 breaks out the types of military referrals provided from the SARCs/UVAs/VAs to military victims who made an Unrestricted Report in FY14:

Figure 4: Type of Military Referrals for Unrestricted Report Victims in FY14



CAI for Military Victim Filing An Unrestricted Report

For the sole female Marine who made an Unrestricted Report for an assault that occurred in Afghanistan, the SARC followed proper protocol and recommended a referral to a UVA for further support and guidance.

Sexual Assault Forensics Exam (SAFE) Kits for Military Victims Filing Unrestricted Reports

In FY14, there were 66 Unrestricted Reports made to SARCs where a SAFE kit was conducted compared to 46 in FY13 and 84 in FY12. In all three FYs, SAFE kits were readily available at the time a victim requested an exam.

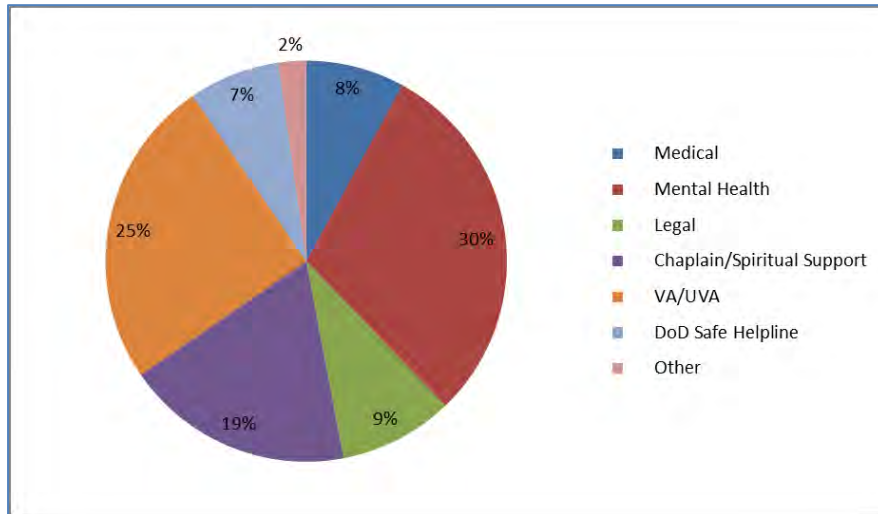
4.2. Restricted Report Referral Data Discussion

Summary of Referral Data for Military Victims filing Restricted Reports

In FY14, of the 363 military members who filed a Restricted Report, a total of 841 support service referrals were made, a ratio of 1 to 2.3 compared to FY13's ratio of 1 to

4.8 and FY12's ratio of 1 to 3.8. The differences between the FYs can again be attributed to the transition of data entry processes into DSAID. Of the total 841 support service referrals in this category for FY14, 804 (96%) were made to military support services with 37 (4%) receiving referrals to civilian resources. Figure 5 below delineates the type of military referrals given by the SARC/UVAs/VAs to military victims who made a Restricted Report in FY14.

Figure 5: Type of Military Referrals for Restricted Report Victims in FY14



Combat Areas of Interest for Military Victims Filing Restricted Reports

For the sole Marine, female, E4 victim who made a Restricted Report for the assault that occurred in Iraq in 2008 and reported in FY14, the SARC recommended a referral to military medical, mental health, legal, chaplain support, and DoD Helpline.

SAFE Kits for Military Victims Filing Restricted Reports

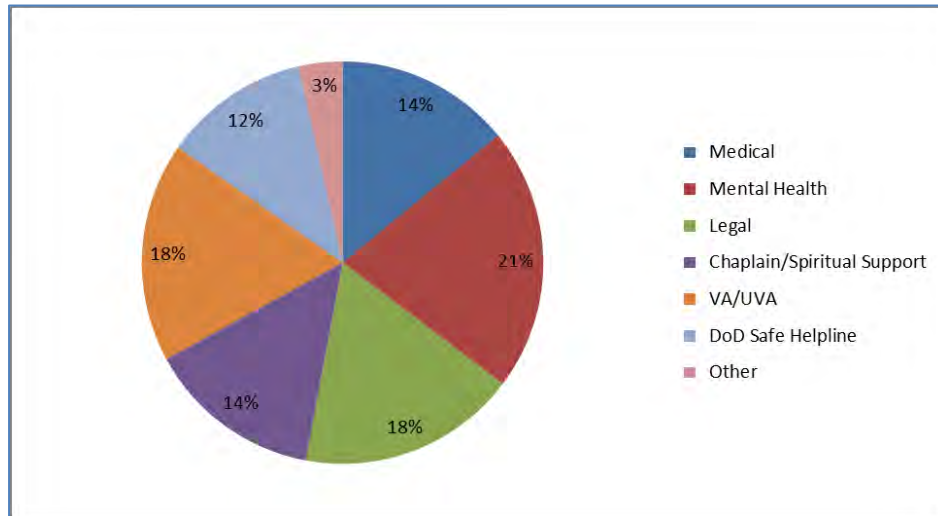
In FY14, medical personnel administered 16 SAFE kits for military victims filing a Restricted Report compared to 22 in FY13 and 11 in FY12. In all three FYs, SAFE kits were readily available at the time a victim requested an exam.

4.3. Service Referrals for Non-Military Victims Data Discussion

Summary of Referral Data for Non-Military Victims and Unrestricted Reports

In FY14, of the 67 non-military victims who filed Unrestricted Reports, a total of 109 support service referrals were made, a ratio of 1 to 1.6 compared to FY13's ratio of 1 to 7.34 and FY12's ratio of 1 to 9.6. Of the 109 support service referrals in this category for FY14, 85 (78%) were made to military support services (i.e., for those victims who were military dependents) and 24 (22%) were made to civilian resources. Figure 6 below breaks out the type of military referral given by the SARC/UVAs/VAs to non-military victims who made an Unrestricted Report in F14.

Figure 6: Type of Military Referrals for Non-Military Victims filing an Unrestricted Report in FY14



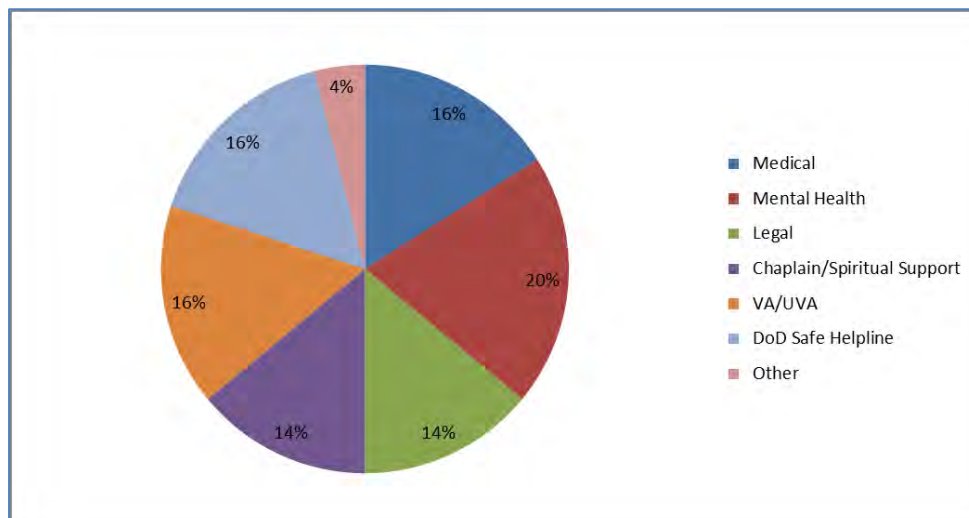
SAFE Kits for Non-Military Victims and Unrestricted Reports

In FY14, medical personnel administered 9 SAFE kits for non-military victims filing an Unrestricted Report compared to 8 in FY13 and 18 in FY12. In all three FYs, SAFE kits were readily available at the time a victim requested an exam.

Summary of Referral Data for Non-Military Victims and Restricted Reports

In FY14, of the 12 non-military victims who filed Restricted Reports, a total of 55 support service referrals were made, a ratio of 1 to 4.6, compared to FY13’s ratio of 1 to 5.21. Of the 55 support service referrals in this category, 50 (91%) were made to military support services, with 5 (9%) referrals made to civilian resources. Figure 7 breaks out the type of military referrals given by the SARCs/UVAs/VAs to non-military victims who made a Restricted Report in F14.

Figure 7: Type of Military Referrals for Non-Military Victims filing an Restricted Report in FY14



SAFE Kits for Non-Military Victims and Restricted Reports

In FY14, medical personnel administered 3 SAFE kits for non-military victims filing a Restricted Report, compared to 2 in FY13 and 0 in FY12. In all three FYs, SAFE kits were readily available at the time a victim requested an exam.

5. Additional Items

5.1. Military Justice Process/Investigative Process Discussion

Non-Metric #3: Length of time from the date a victim signs a DD 2910 to the date that a sentence is imposed or accused is acquitted

For the Marine Corps, the time interval from report to court outcome averaged 345 days with a median of 324 days. Several processes occur between the time a victim signs a DD 2910 and the date a sentence is imposed:

- NCIS is notified of the victim's report;
- The report is investigated by NCIS in consultation with trial counsel;
- The Sexual Assault Initial Disposition Authority evaluates the investigation and, in consultation with a SJA, decides whether to request legal services for a court-martial or other disposition;
- If legal services are requested, a defense and trial counsel are formally detailed to the case;
- Charges are preferred;
- An Article 32 investigation is held;
- The Article 32 investigating officer provides a recommendation;
- The Commander and SJA review the report to decide whether to refer charges; and
- If charges are referred, an arraignment is held, motions hearings, and discovery are conducted, and the case proceeds to a court-martial.

Various factors may lengthen an investigation or military justice actions, such as the number of witnesses, the location of witnesses (one base or multiple locations around the world), forensic analysis of the evidence, the need for expert assistance, defense continuance requests, the need for subpoenas or judicial orders to obtain evidence, the number and type of motions litigated, and the availability of the witnesses. A well-executed investigation could take weeks or, in most cases, months to develop. While the UCMJ and Rule for Court-Martial 707 impose limits on the days until a case must proceed to trial, the numerous factors discussed above differ greatly among cases.

Non-Metric #4: Length of time from the date a victim signs a DD 2910 to the date that NJP process is concluded (e.g., punishment imposed or NJP not rendered)

The time interval from report to NJP outcome in the Marine Corps in FY14 was on average 160 days with a median of 134 days. The process for offering, accepting, and imposing NJP is faster than the court-martial process due to the numerous procedural safe guards and due process rights provided to an accused at a court-martial as described in Non-Metric #3. While a court-martial is a slower process, Commanders generally refer allegations of sexual assault to court-martial because of the serious

nature of the allegations. When the evidence does not support referral of the sexual assault allegations to court-martial, Commanders often address collateral misconduct and lesser offenses uncovered during the investigation at NJP when appropriate.

***Non-Metric 6: USMC Action in Sexual Assault Cases Declined By Civilians**

No.	Offense Alleged/ Investigated	Location	Subject Service	Subject Grade	Subject Gender	Victim Service	Victim Grade	Victim Gender	Narrative of the Crime
1	Sexual Assault (Pre 28 June 12)	CONUS	USMC	E-5	Male	Army	E-4	Female	Victim reported she was sexually assaulted at subject's off base residence on Christmas Day. Civilian prosecutors declined jurisdiction. Subject convicted of sexual assault and sentenced to 90 months confinement and a dishonorable discharge.
2	Sexual Assault (Post 28 June 12)	CONUS	USMC	E-8	Male	US Civilian	N/A	Female	Victim reported she was sexually assaulted at a Staff Non-Commissioned Officer club. Civilians declined jurisdiction. Subject convicted of indecent exposure, indecent language, and disorderly conduct. Received reduction and forfeitures.
3	Sexual Assault (Post 28 June 12)	CONUS	USMC	E-2	Male	USMC	E-2	Female	Victim reported she was sexually assaulted by the subject off-base. Civilians declined jurisdiction. Subject convicted of attempted sexual assault and abusive sexual contact. Received six months confinement, reduction, and a bad conduct discharge.
4	Sexual Assault (Post 28 June 12)	CONUS	USMC	E-4	Male	USMC	E-3	Female	Victim reported she was sexually assaulted by the subject off-base. Civilians declined jurisdiction. Subject convicted of sexual assault and adultery. Received one year confinement, reduction, and a bad conduct discharge.
5	Sexual Assault (Post 28 June 12)	CONUS	USMC	E-5	Male	US Civilian	N/A	Female	Victim reported she was sexually assaulted by the subject off-base. Civilians declined jurisdiction. Subject convicted of numerous orders violations. Received one year confinement, reduction, and a bad conduct discharge.
6	Sexual Assault (Post 28 June 12)	CONUS	USMC	E-2	Male	USMC	E-3	Female	Victim reported she was sexually assaulted by the subject off-base. Civilians declined jurisdiction. Subject convicted of violation of a general order. Received 45 days hard labor.
7	Sexual Assault (Post 28 June 12)	OCONUS	USMC	E-3	Male	Japanese Civilian	N/A	Female	While off base in Japan, subject reportedly grabbed crotch and breast of victim, as well as other unrelated sexual misconduct. Japan declined jurisdiction. Convicted of all charges, received six years confinement, reduction, and a dishonorable discharge.

*The above case synopses were chosen by the Marine Corps as anecdotal examples of situations where the military justice process was used to address allegations of sexual assault involving military members, when a civilian or foreign justice process did not or could not fully address the misconduct alleged. These cases were selected by the Service to demonstrate certain aspects of the military justice process and do not reflect the sum total of all such occurrences during Fiscal Year 2014.