



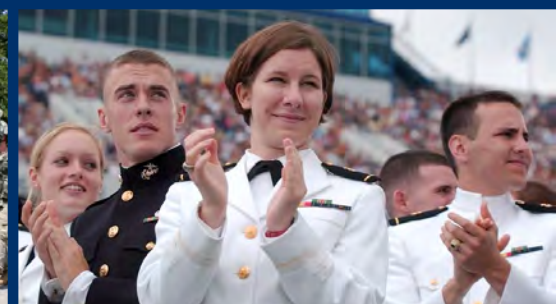
**DEPARTMENT OF DEFENSE  
SEXUAL ASSAULT PREVENTION  
AND RESPONSE**

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

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Academic Program Year 2011–2012

December 2012





PERSONNEL AND  
READINESS

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

DEC 21 2012

The Honorable Carl Levin  
Chairman, Committee on Armed Services  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

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

The enclosed "Academic Program Year 2011-2012 Report on Sexual Harassment and Violence at the Military Service Academies" provides an assessment of the Academies in the areas of prevention and response to sexual harassment and assault, as well as data and analysis on reported cases of sexual harassment and assault involving Academy personnel occurring between June 1, 2011 and May 31, 2012. Also, enclosed with this year's report are the Defense Manpower Data Center's "2012 Service Academy Gender Relations Survey" and each Academy's sexual harassment and violence self-assessment report.

The report shows that while all three Academies are in compliance with Department policies, sexual assault and harassment remain a problem. Further reductions in sexual harassment and violence will require continued persistence and innovative measures to foster cultural change at each institution. To this end, Secretary Panetta has directed the Secretaries of the Military Departments to enhance their respective Academy programs by identifying new ways to advance a climate of dignity and respect and by more completely integrating sexual assault and harassment prevention into the full spectrum of Academy life and learning. Reports from the Military Departments on their plans and progress are due back to Secretary Panetta by 29 March 2013.

The Department is committed to its goal of improving military readiness by fostering a culture free of sexual harassment and violence. I am sending a similar letter, with the Department's report, to the Chairman and Ranking Member of the House Committee on Armed Services.

  
Jessica L. Wright  
Acting Principal Deputy

Enclosure:  
As stated

cc:  
The Honorable John McCain  
Ranking Member



PERSONNEL AND  
READINESS

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

DEC 21 2012

The Honorable Howard P. "Buck" McKeon  
Chairman, Committee on Armed Services  
U.S. House of Representatives  
Washington, DC 20515

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Jessica L. Wright  
Acting Principal Deputy

Enclosure:  
As stated

cc:  
The Honorable Adam Smith  
Ranking Member



# **Department of Defense Annual Report on Sexual Harassment and Violence at the Military Service Academies: Academic Program Year 2011-2012**

***Section 532 of Public Law 109-364,  
the John Warner National Defense Authorization Act for  
Fiscal Year 2007***

The estimated cost of report or study for the Department of Defense is approximately \$800,000 in Fiscal Years 2012 - 2013. This includes \$720,000 in expenses and \$79,000 in DoD labor.

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## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>3</b>
<b>INTRODUCTION .....</b>	<b>6</b>
<b>1. INSTITUTIONALIZE PREVENTION STRATEGIES IN THE MILITARY COMMUNITY .....</b>	<b>7</b>
<b>2. INCREASE THE CLIMATE OF VICTIM CONFIDENCE ASSOCIATED WITH REPORTING .....</b>	<b>11</b>
<b>3. IMPROVE SEXUAL ASSAULT RESPONSE .....</b>	<b>14</b>
<b>4. IMPROVING SYSTEM ACCOUNTABILITY .....</b>	<b>15</b>
<b>5. IMPROVE KNOWLEDGE AND UNDERSTANDING OF POSH AND SAPR .....</b>	<b>16</b>
<b>SUMMARY OF THE MILITARY SERVICE ACADEMY PLANS FOR APY 12-13 .....</b>	<b>17</b>
<b>STATISTICAL DATA ON SEXUAL ASSAULT: BACKGROUND .....</b>	<b>22</b>
What it Captures: .....	22
Who It Describes: .....	24
When it Happened: .....	25
How It's Gathered: .....	25
Why it's collected: .....	25
<b>AGGREGATE REPORTS OF SEXUAL ASSAULT .....</b>	<b>27</b>
APY 11-12 Unrestricted Reports of Sexual Assault .....	30
APY 11-12 restricted Reports of Sexual Assault .....	36
<b>SEXUAL HARASSMENT .....</b>	<b>38</b>
<b>DATA REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011 .....</b>	<b>38</b>
<b>ASSESSMENT OF MSA PROGRAMS .....</b>	<b>39</b>
<b>CONCLUSION .....</b>	<b>40</b>
<b>APPENDICES .....</b>	<b>A-1</b>
Appendix A: Acronym Dictionary .....	A-1
Appendix B: Law Requesting Report .....	B-1
Appendix C: Data Matrices .....	C-1

## LIST OF ENCLOSURES

- Enclosure 1: United States Military Academy Self-Assessment
- Enclosure 2: United States Naval Academy Self-Assessment
- Enclosure 3: United States Air Force Academy Self-Assessment

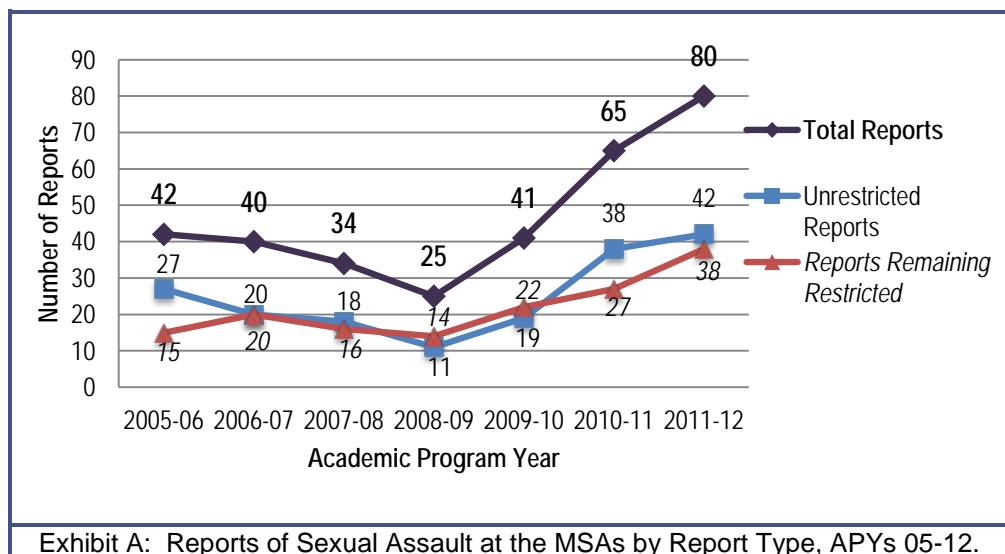
## EXECUTIVE SUMMARY

Section 532 of Public Law Number 109-364, the John Warner National Defense Authorization Act for Fiscal Year (FY) 2007, requires the Department to conduct an annual assessment of the Military Service Academies (MSA) to determine the effectiveness of policies, training, and procedures with respect to sexual harassment and sexual violence involving Academy personnel. For Academic Program Years (APY) that begin in odd-numbered years, as is the case this year (e.g., APY 11-12), the assessment consists of a survey of the cadets and midshipmen conducted by the Defense Manpower Data Center (DMDC) and each Academy's sexual harassment and violence self-assessment report.

The Department of Defense (DoD) Sexual Assault Prevention and Response Office (SAPRO) and the Office of Diversity Management and Equal Opportunity (ODMEO) use this annual assessment as an oversight and compliance tool to monitor improvement of the MSAs' Sexual Assault Prevention and Response (SAPR) and Prevention of Sexual Harassment (POSH) Programs. To that end, the assessment of the SAPR and POSH Programs was organized by the priorities established in the *DoD-wide SAPR Strategic Plan* approved in December 2009.

The MSA self-assessments describe institutionalized and evolving training programs for prevention and response to sexual harassment and assault. For cadets and midshipmen, this training begins at accession and continues throughout their four years at the academy. Each MSA's effort to improve its policies and training demonstrates a commitment to prevention and support for a climate where victims may confidently report the crime and receive needed assistance. As with prior years, the MSAs employed leaders in the field of sexual violence prevention to inform their programming and educate cadets and midshipmen.

This year, there were a total of 80 reports of sexual assault, comprised of 42 Unrestricted Reports and 38 Reports remaining Restricted.<sup>1,2</sup> Initially, the



<sup>1</sup> An Unrestricted Report of sexual assault is a report that is provided to command and/or law enforcement for investigation.

<sup>2</sup> Restricted Reporting allows victims to confidentially access medical care and advocacy services without triggering an investigation.

MSAs received a total of 42 Restricted Reports, but four converted to Unrestricted Reports at the victims' request. Thirteen of the 80 reports were for incidents that occurred prior to the victims' entering military service. The 80 reports represent a 23% increase from APY 10-11. In prior year assessments, the Department recommended that the academies take steps to bring more victims forward to report. Sexual assault is one of the most underreported crimes in the United States. Thus, a strategic priority for the Department is to increase the number of sexual assault reports made to authorities by victims in order to provide them with needed support and services and to hold those who commit sexual assault appropriately accountable.

The DMDC conducted the strictly voluntary *2012 Service Academy Gender Relations (SAGR) Survey* in spring 2012. Response rates to this year's survey ranged from 67% to 88% among female and male cadets and midshipmen. According to the survey, more than 91% of cadets and midshipmen understood key training concepts on how to make a sexual harassment or assault report.

In the 12 months prior to the survey, 12.4% of women and 2.0% of men indicated experiencing unwanted sexual contact, which are statistically no different than the rates of unwanted sexual contact measured in the 2010 SAGR survey. Also in the 12 months prior to being surveyed, 51% of women and 10% of men indicated experiencing sexual harassment.<sup>3</sup> Overall, the rate of sexual harassment for academy women has decreased from the 56% measured in the 2010 SAGR survey; there was no statistically significant change in the overall rate for academy men. While the number of reports of sexual assault by victims may never equal what is reported on anonymous surveys, the Department's dual goals are to use prevention interventions to reduce the number of incidents of sexual assault, and at the same time, encourage reporting of the crime, so that the Restricted and Unrestricted Reports to DoD account for a greater proportion of the survey-estimated number of victims.

In APY 10-11, the MSAs had not completed all the recommendations from the APY 08-09 Report. Therefore, the Department requested the academies provide an update on implementation before the end of APY 11-12 to ensure that the remaining recommendations from APY 08-09 Report and the action items put forth in the APY 10-11 Report are completed. During APY 11-12, the United States Military Academy (USMA) had 39 recommendations and action items to complete; USMA completed 32 of these and as of 3 August 2012, 7 remained in progress; as of 1 August 2012, the United States Naval Academy (USNA) completed 17 and 5 remained in progress. The United States Air Force Academy (USAFA) had 28 recommendations and action items to complete in APY 11-12; as of 1 August 2012, USAFA had completed 23 and 5 remained in progress. During APY 12-13, the Department will conduct follow-up during the on-site assessment at each of the academies to ensure that the remaining open recommendations and action items are completed.

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<sup>3</sup> Unwanted sexual contact is the survey term for the crimes in the Uniform Code of Military Justice (UCMJ) that constitute sexual assault, which range from rape to abusive sexual contact.

In APY 10-11, the USAFA and the USNA were found to be in compliance with Department policies regarding sexual harassment and assault. However, the USMA was overall found to be in partial compliance with the Department's policies. During APY 11-12, USMA undertook actions to ensure compliance with Department policy for sexual harassment and assault and enhance its SAPR and POSH Programs. The USMA trained all cadets and Sexual Assault Response Coordinators (SARC) in accordance with the Department's policies; ensured reporting options were clear and publicized accurately; and provided effective oversight of the SAPR and POSH Programs. The Department conducted a follow-up on-site assessment at the USMA at the end of APY 11-12 to document actions taken by the academy and improvements in its programs. The follow-up assessment showed the USMA to be in overall compliance with the Department's policies.

During APY 12-13, SAPRO, ODMEO, and MSA leadership will work collaboratively to develop new methods to improve MSA prevention of and response to sexual assault and harassment. Further details about these actions can be found in the Assessment of MSAs section of this Report.



## INTRODUCTION

Section 532 of Public Law Number 109-364, the John Warner National Defense Authorization Act for Fiscal Year (FY) 2007, requires an assessment, described below, at the Military Service Academies (MSA) during each Academic Program Year (APY). The Department of Defense (DoD) Sexual Assault Prevention and Response Office (SAPRO) and the Office of Diversity Management and Equal Opportunity (ODMEO) use this annual assessment as an oversight and compliance tool to monitor improvement and determine the effectiveness of the policies, training, and procedures of the Department's Sexual Assault Prevention and Response (SAPR) and Prevention of Sexual Harassment (POSH) Programs at the Academies with respect to sexual harassment and violence involving Academy personnel. To that end, the assessment of the SAPR and POSH Programs is organized by the priorities established in the *DoD-Wide SAPR Strategic Plan* approved in December 2009. These priorities are:

1. Institutionalize Prevention Strategies in the Military Community
2. Increase the Climate of Victim Confidence Associated with Reporting
3. Improve Sexual Assault Response
4. Improve System Accountability
5. Improve Knowledge and Understanding of SAPR

In APYs beginning in odd-numbered years (e.g., APY 11-12), the annual assessment is comprised of an academy self-assessment and an anonymous survey of cadets and midshipmen. This bi-annual *2012 Service Academy Gender Relations (SAGR) Survey* administered by the Defense Manpower Data Center (DMDC) covers topics such as incidents of unwanted sexual contact and harassment, reporting and training, and characteristics of unwanted sexual and gender-related behaviors. In addition to the academy self-assessments and *2012 SAGR Survey*, this year's Report includes six-month status updates from the MSAs on action items and recommendations from previous APY Reports.

The Department consolidates and summarizes the reports from each academy, the aggregate reports of sexual assault, the results from the *2012 SAGR Survey*, and the six-month status updates. This summary serves as the Department's *Annual Report on Sexual Harassment and Violence at the Military Service Academies* covering APY 1 June 2011 through 31 May 2012. Appendix C contains the consolidated data matrices. Enclosures 1, 2, and 3 of this Report are the self-assessments from the United States Military Academy (USMA), the United States Naval Academy (USNA), and the United States Air Force Academy (USAFA), respectively. Also included with this year's report is the DMDC's *2012 SAGR Survey*.<sup>4</sup>

DoD policy defines the term "sexual harassment" as a form of sex discrimination that:  
involves unwelcome sexual advances, requests for sexual favors, and other  
verbal or physical conduct of a sexual nature when submission to or rejection of

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<sup>4</sup> The *2012 Service Academy Gender Relations Survey* Report is provided in its entirety as a separate document and posted at <http://www.sapr.mil/index.php/research>.

such conduct is made either explicitly or implicitly a term or condition of a person's job, pay or career; or submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or such conduct interferes with an individual's performance or creates an intimidating, hostile or offensive environment.

The term "sexual violence," herein referred to as "sexual assault," is defined as: intentional sexual contact, characterized by use of force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent. Sexual assault includes rape, forcible sodomy (forced oral or anal sex), and other unwanted sexual contact that is aggravated, abusive, or wrongful (including unwanted and inappropriate sexual contact), or attempts to commit these acts. "Consent" means words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused's use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating relationship or the manner of dress of the person involved with the accused in the sexual conduct at issue shall not constitute consent. There is no consent where the person is sleeping or incapacitated, such as due to age, alcohol or drugs, or mental incapacity.<sup>5</sup>

The term "unwanted sexual contact," referred to in the *DMDC 2012 SAGR Survey*, includes a measure of unwanted sexual contact (i.e. sexual assault). Although this term does not appear in the Uniform Code of Military Justice (UCMJ), it is used to refer to a range of activities that the UCMJ prohibits. For purposes of the *SAGR Survey*, the term "unwanted sexual contact" means intentional sexual contact that was against a person's will or which occurred when the person did not or could not consent, and includes completed or attempted sexual intercourse, sodomy (oral or anal sex), penetration by an object, and the unwanted touching of genitalia and other sexually-related areas of the body. Cadets and midshipmen were asked questions related to personal experiences of unwanted sexual contact between June 2011 and the time they took the survey.

## 1. INSTITUTIONALIZE PREVENTION STRATEGIES IN THE MILITARY COMMUNITY

The first DoD-wide strategic priority is to institutionalize prevention strategies in the military community; this priority focuses on the overall reduction in the prevalence of sexual assault and sexual harassment in the military population. A key feature of sexual harassment and assault prevention is education and training. Throughout APY 11-12, the MSAs conducted extensive training for all cadets and midshipmen and

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<sup>5</sup> Department of Defense. (2012). *Department of Defense Directive 6495.01 Sexual Assault Prevention and Response (SAPR) Program*. Retrieved from <http://www.dtic.mil/whs/directives/corres/pdf/649501p.pdf>.

continued to implement prevention and education at all levels to address the policies covering sexual harassment and sexual assault, consent, reporting options, support resources, and bystander intervention.

The USMA continued to foster a culture of prevention through aggressive training efforts, with the United States Corps of Cadets (USCC) undertaking the most significant initiatives. The USCC's force protection initiative required additional presence patrols and checks for cadets in duty officer positions over the weekends. Bystander intervention training sessions focused on case studies outlining the background, incident, outcome, and lessons learned from sexual assault or harassment cases. A cadet-produced video also contributed to the prevention program by highlighting bystander intervention and the responsibilities of cadets in duty officer positions. Cadet representatives from the Respect Program authored monthly Sexual Harassment/Assault Response and Prevention (SHARP) newsletters that were posted in public areas to increase awareness of prevention strategies throughout the academy.

Every USMA cadet received sexual harassment and sexual assault prevention training at one or more points during APY 11-12. Each class viewed a cadet-produced SHARP film, which was followed by small group discussions. The USMA leveraged nationally recognized guest speakers and facilitators to address prevention of sexual harassment and assault, cultural awareness, and diversity.<sup>6</sup> Fourth, Second, and First Class cadets received a SHARP Program overview from the USCC Sexual Assault Response Team (SART), which attended the 80-hour SHARP Program Training Course, as well as a seminar at Fort Drum, New York, and semi-annual training with West Point First Responders. Ms. Veraunda Jackson, a nationally recognized speaker and rape survivor, lectured First Class cadets.<sup>7</sup> Fourth Class cadets participated in a presentation by Russell Strand on sexual predatory behaviors.<sup>8</sup> Additionally, for APY 11-12, Third Class cadets participated in Sex Signals, an educational live performance program on issues surrounding dating, sex, and consent.

The USNA continued to increase prevention efforts related to sexual harassment and assault in a greater variety of forums, such as summer training briefs, the Alcohol and Substance Abuse Officer in the Sexual Assault Case Management Group (SACMG), and outreach to faculty and staff, Company Officers, and Senior Enlisted Leaders. During APY 11-12, the USNA sustained program continuity by ensuring all sexual assault and harassment support personnel maintained current training and qualification standards. The Sexual Harassment and Assault Prevention Education (SHAPE) Program continued to provide relevant sexual harassment and assault information to both midshipmen peer educators and the Brigade at large. The SHAPE Program specifically included education on risk reduction, myth deconstruction, bystander intervention, leadership responsibilities, and legal aspects of sexual harassment and

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<sup>6</sup> Any reference to any non-federal entity is not intended to be an endorsement of that entity by the DoD.

<sup>7</sup> Veraunda Jackson is the founder and Chief Executive Officer of EHAP (Everything Has a Price) Inc., a professional and personal development company. She previously was a prosecutor in the specialized sex crimes and child abuse unit in Florida.

<sup>8</sup> Russell Strand is the US Army Family Advocacy Programs Criminal Division Training Director who specializes in offender behavior.

assault. All midshipmen received SHAPE instruction, appropriate to their class, to ensure full exposure to the program.

Throughout APY 11-12, the USNA maintained productive relationships and information exchanges with SAPR experts and local sexual assault organizations in order to enhance the academy's education efforts from both leadership and cultural perspectives. The USNA improved the academy's SAPRO website by providing better clarity and ease of use, additional information, and an "Ask the SARC" function for midshipmen seeking sexual assault- and harassment-related guidance. USNA SAPRO also provided consultation in support of various POSH- and SAPR-related articles published in the USNA electronic newspaper, *The Trident*.

During APY 11-12, USAFA SAPR and POSH training continued to be a proactive and comprehensive endeavor focused on maintaining positive shifts in culture and nurturing healthy gender relationships. POSH and SAPR prevention training for cadets at the USAFA began immediately upon arrival at Basic Cadet Training and continued throughout the cadets' first year at the academy. Each class year expanded and built on previous POSH and SAPR training. Training efforts promoted a culture of sexual assault and harassment prevention and provided education initiatives associated with bystander intervention and appropriate risk reduction that does not blame victims. Third, Second, and First Class cadets all received annual Air Force SAPR policy and services training during APY 11-12. The USAFA invited a number of guest speakers to present on a variety of topics related to sexual assault and harassment awareness, prevention, and response.

New USAFA training initiatives for APY 11-12 included a "Spring Break information table," which was used as an early kick-off of Sexual Assault Awareness Month and focused on appropriate risk reduction and program visibility. A Character and Leadership Development course entitled "Respect and Responsibility" was initiated for all Fourth Class cadets. An additional change implemented in APY 11-12 resulted in a senior female Cadet co-teaching and facilitating part of the Basic Cadet Training for the female basic Cadets. The USAFA is currently developing a program assessment methodology to measure the effectiveness of SAPR-related training, which is expected to be implemented mid APY 12-13.

The *2012 SAGR Survey* asked cadets and midshipmen if they received sexual harassment and assault program training in the last year.<sup>9</sup> At all three academies, 97 to 99% of cadets and midshipmen indicated receiving sexual harassment and sexual assault training in the past year. Overall, well over half of respondents rated the training as at least moderately to very effective in actually reducing or preventing sexual assault or harassment. However, there has been a general decrease in "very effective" ratings and increase in "not at all effective" ratings over the survey years. The Department plans to target this finding in focus groups to be held during APY 12-13.

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<sup>9</sup> Please see Enclosure 4 for the complete *2012 SAGR Survey* results.

Overall, the *2012 SAGR Survey* showed that since 2010, the past year prevalence of sexual harassment among MSA women decreased. However, further analysis showed that this significant decrease occurred only at the USAFA. Sexual harassment prevalence remained the same at the USMA and the USNA between 2010 and 2012. The prevalence of sexual harassment among men decreased only at the USNA and remained the same at the USMA and the USAFA from 2010 to 2012. The prevalence of unwanted sexual contact among women increased slightly at the USMA since 2010, but remained statistically the same at the USNA and the USAFA. There was no statistically significant change at any of the Academies for the rate of unwanted sexual contact among men since 2010.

Reducing the prevalence (occurrence) of sexual harassment and sexual assault are the ultimate goals of any prevention program. However, one unexpected result of prevention programming is that education about a problem may enable individuals to better recognize it when it occurs. As a result, increases in surveyed prevalence rates may reflect more accurate identification of problem behaviors. Nevertheless, the MSAs must focus attention on improving prevention outcomes by reducing the prevalence of unwanted sexual contact.

Additionally, the Department noted some concerning survey trends involving unwanted sexual contact (USC) experienced by women. Survey respondents are asked to characterize the USC they experienced. These experiences generally take the form of unwanted sexual touching, unwanted attempted penetration, and unwanted completed penetration.<sup>10</sup> Unwanted sexual touching increased at the USMA by 19 percentage points and decreased by 10 percentage points at the USNA since the *2010 SAGR Survey*. Unwanted attempted penetration decreased at the USNA by 15 percentage points and at the USAFA by 11 percentage points since 2010. Unwanted completed penetration increased by 13 percentage points at the USNA and by 15 percentage points at the USAFA since 2010.

Data from the *2012 SAGR Survey* also showed that 16 to 23% of female cadets and midshipmen had been victims of unwanted sexual contact prior to entering the academies; 4 to 5% of male cadets and midshipmen indicated they had been victims of unwanted sexual contact prior to entering the academies. Cadets and midshipmen with a history of unwanted sexual contact prior to entering the academies experienced past-year unwanted sexual contact and sexual harassment at disproportionately larger rates than cadets and midshipmen without such a history. This finding could represent a primary intervention point for prevention services. However, given most victims' desire for confidentiality, services for these cadets and midshipmen must be delivered in a sensitive, compassionate, and confidential way. The Department will explore how best to address this during its MSA focus groups to be held in APY 12-13.

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<sup>10</sup> Penetration refers to oral, anal and/or vaginal penetration. Based on how respondents can answer the survey items, attempted and completed penetration may or may not also include unwanted sexual touching.

## 2. INCREASE THE CLIMATE OF VICTIM CONFIDENCE ASSOCIATED WITH REPORTING

The second DoD-wide strategic priority is to increase the climate of victim confidence associated with reporting. This priority focuses on increasing the number and percentage of sexual assaults that are reported, with additional emphasis on increasing the proportion of Unrestricted Reporting.

The Department seeks to increase reporting to ensure that victims come forward to receive needed support and services and thus offers two sexual assault reporting options: Restricted and Unrestricted Reporting. Restricted Reporting allows victims to confidentially access medical care and advocacy services without triggering an investigation. Cadets and midshipmen who experience sexual harassment can make a formal or informal complaint.

The total numbers of sexual assault reports for all MSAs during APY 11-12 are as follows:<sup>11</sup>

TOTAL APY 2011-2012 REPORTS OF SEXUAL ASSAULT	
NUMBER OF UNRESTRICTED REPORTS OF SEXUAL ASSAULT	42
NUMBER OF REPORTS OF SEXUAL ASSAULT REMAINING RESTRICTED	38
<b>NUMBER OF TOTAL REPORTS OF SEXUAL ASSAULT - UNRESTRICTED AND RESTRICTED</b>	<b>80</b>

During APY 11-12, sexual assault reporting increased by 23% from APY 10-11. The USMA and the USAFA experienced reporting increases of five and 19, respectively. The USNA experienced a decline in reporting by nine.

Unrestricted Reports among the Academies during APY 11-12:

- USMA: 12 Unrestricted Reports filed
- USNA: 9 Unrestricted Reports filed
- USAFA: 21 Unrestricted Reports filed

Initial Restricted Reports among the MSAs during APY 11-12:

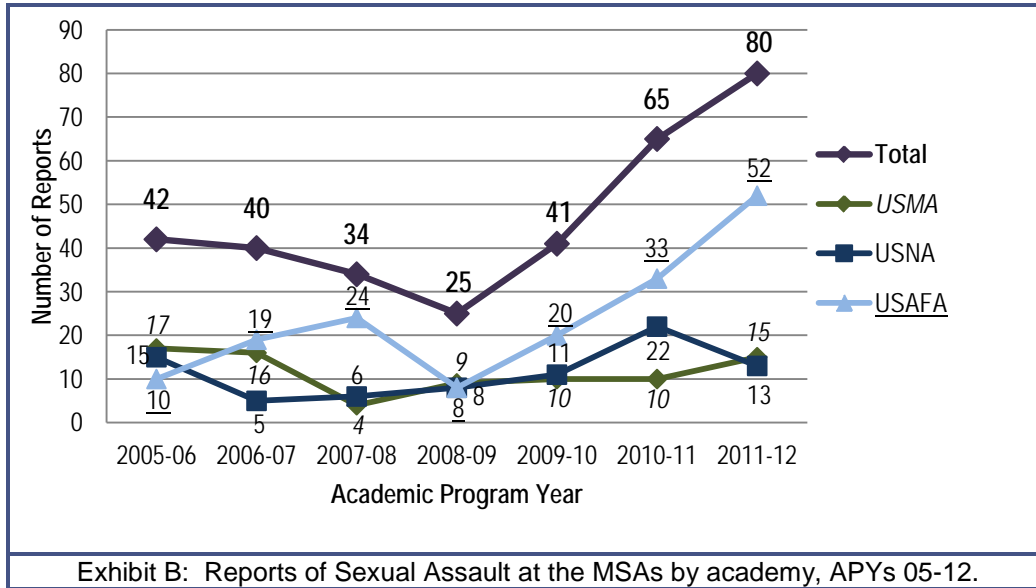
- USMA: 3 Restricted Reports filed
- USNA: 6 Restricted Reports filed
- USAFA: 33 Restricted Reports filed

Conversions from Restricted Reports to Unrestricted Reports in APY 11-12:

- USMA: 0 Restricted Reports converted
- USNA: 2 Restricted Reports converted
- USAFA: 2 Restricted Reports converted

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<sup>11</sup> Sexual assault is defined as intentional sexual contact, characterized by use of force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent. Sexual assault includes rape, forcible sodomy (forced oral or anal sex), and other unwanted sexual contact that is aggravated, abusive, or wrongful (including unwanted and inappropriate sexual contact), or attempts to commit these acts.



There were two formal and 17 informal sexual harassment complaints made at the Academies during APY 11-12.<sup>12</sup>

At the USMA, the USCC began taking ownership of the SHARP Program to increase victim confidence in reporting. In APY 11-12, they produced a video, published newsletters, and participated in a Sexual Assault Awareness Month “Walk-a-Mile” to demonstrate their commitment to preventing sexual harassment and assault. Consistent messaging from senior leaders down to cadets reinforced the lessons of bystander intervention, reporting options, and access to assistance. SHARP training sessions informed staff, faculty, and cadets of the common reasons for not reporting sexual assault and not submitting complaints of sexual harassment, and attendees were encouraged to take an active role in stopping inappropriate behaviors.

At the USNA, confidentiality continued to be a priority and was successfully maintained within the USNA SAPRO organization and chain of command during APY 11-12. The USNA initiated a new program, “SAPR Safe Space,” which provided trained and qualified first responders with a plaque indicating their office area as a place where midshipmen can receive confidential sexual harassment or assault assistance and be guided to the POSH and/or SAPR Program appropriately. Available reporting and care options continued to be publicized through the USNA SAPRO website, SHAPE program, and briefings to a variety of audiences.

The USAFA encouraged the reporting of sexual assault and harassment by continuing to provide a SARC that is available 24/7 to discuss reporting and victim care options. The USAFA SAPR program worked to decrease the stigma associated with reporting

<sup>12</sup> Response to sexual harassment uses a different process to report sexual assault. While neither behavior is acceptable, sexual assault is a crime and may require law enforcement response and victim assistance. Sexual harassment response encourages resolution of inappropriate gender-related behaviors at the lowest level. Those experiencing such behavior may report the matter formally or informally for command involvement and assistance.

sexual assault and harassment, but also reinforced and publicized the types of care and support available for victims. Over the course of APY 11-12, the USAFA found that the average delay in reporting decreased from 8 to 10 months to less than 4 months from the date of the incident. USAFA will continue to emphasize the importance of expedient reporting of incidents via SARC for both reporting options. At the same time, the USAFA noted several Restricted Reports of sexual assault had been inadvertently discovered during investigations of other crimes. To help protect victim confidentiality, the USAFA SARC began to emphasize to victims the importance of limiting the number of confidants to whom victims disclose their sexual assault. The USAFA SAPR program will emphasize this during training as a major teaching point.

Training on reporting procedures is an important part of encouraging reporting. The 2012 SAGR Survey assesses cadet and midshipman perceptions of the training they receive on the definitions of and the differences between sexual harassment and sexual assault, as well as the sexual assault reporting options.

Drawn from the 2012 SAGR Survey, the tables below contain the top three reasons female respondents endorsed for reporting and for not reporting unwanted sexual contact at each Academy. There were too few male respondents to report these reasons for men.

TOP THREE REASONS FOR REPORTING UNWANTED SEXUAL CONTACT – WOMEN					
USMA		USNA		USAFA	
It was the right thing to do	82%	Seek closure on the incident	83%	Seek help dealing with an emotional incident	82%
Stop the offender from hurting others	73%	Seek help dealing with an emotional incident	74%	Stop the offender from hurting others	74%
Stop the offender from hurting you again & Seek help dealing with an emotional incident	65%	It was the right thing to do	72%	Seek justice & It was the right thing to do	64%

TOP THREE REASONS FOR NOT REPORTING UNWANTED SEXUAL CONTACT – WOMEN					
USMA		USNA		USAFA	
I thought it was not important enough to report	75%	I took care of it myself	77%	I took care of it myself	66%
I did not want people gossiping about me	74%	I did not want people gossiping about me	71%	I did not want anyone to know	63%
I did not want anyone to know	70%	I did not want anyone to know	68%	I did not want people gossiping about me	62%



Also drawn from the 2012 SAGR Survey, the following tables provide the top three reasons female respondents endorsed for reporting and not reporting sexual harassment at each academy. Within their respective gender groupings, women and men at each academy identified the same top three reasons for not reporting sexual harassment.

TOP THREE REASONS FOR <u>NOT</u> REPORTING SEXUAL HARASSMENT – WOMEN					
USMA		USNA		USAFA	
I thought it was not important enough to report	84%	I thought it was not important enough to report	82%	I thought it was not important enough to report	81%
I took care of the problem myself	71%	I took care of the problem myself	73%	I took care of the problem myself	70%
I did not want people gossiping about me	38%	I did not want people gossiping about me	48%	I did not want people gossiping about me	35%

TOP THREE REASONS FOR <u>NOT</u> REPORTING SEXUAL HARASSMENT – MEN					
USMA		USNA		USAFA	
I thought it was not important enough to report	80%	I thought it was not important enough to report	78%	I thought it was not important enough to report	84%
I took care of the problem myself	60%	I took care of the problem myself	57%	I took care of the problem myself	63%
I thought reporting would take too much time and effort	23%	I thought reporting would take too much time and effort	20%	I thought reporting would take too much time and effort	22%

### 3. IMPROVE SEXUAL ASSAULT RESPONSE

The Department’s third goal is to improve sexual assault response. This priority focuses on the availability, access, and quality of response for victims.

The USMA made advances in its ability to respond to allegations of sexual harassment and assault through a variety of cadet-led efforts. The SHARP Program at the USMA highlighted the availability of victim care services, both on and off-post, and informed staff, faculty, and cadets on the top reasons for not reporting sexual assaults or making complaints of sexual harassment. Early in APY 11-12, 15 first responders received their SHARP certification. In addition to 80 hours of SHARP Course Certification, first responders were required to attend the Army’s online situational training program entitled “Team Bound.” The USMA’s Criminal Investigation Command (CID) office received continual training on sexual assault response policies, victimology, understanding sex offenders, interview techniques, investigating difficult cases, and working with SARCs and SAPR Victim Advocates (VA). The USMA leadership also established a procedure for immediate movement of alleged subjects upon receipt of a credible Unrestricted Report of sexual assault from a cadet.

Throughout APY 11-12, the USNA continued training efforts to improve overall sexual assault and harassment response at the academy. The USNA provides 24/7 on-call

sexual response through Sexual Assault Response (SAR) Guidance, Understanding, Information, Direction, Education (GUIDE), SAPR VAs, and SARCs, and trained more than 60 individuals to be qualified in victim response. In preparation for the arrival of the Freshmen Class, the USNA SAPRO provided one hour of first responder training to all Midshipmen Plebe Summer Detailers. Midshipmen Liaison Officers were also provided with one hour of first responder training in case an incident of sexual harassment or assault occurred during the summer training period. During their initial “Plebe” summer, all midshipmen were provided with plastic cards with relevant USNA SAPRO phone numbers and information on the available reporting options. The USNA also advertised planned dates for SAPR VA training, interviewed applicants, and facilitated course registration.

USAFA provided ongoing training to all first responders. The USAFA SARC was available 24/7 throughout APY 11-12 and all SAPR VAs were encouraged to remain as accessible as possible. The SARC and SAPR VAs completed mandatory 40-hour victim advocacy training and also received training from a variety of persons such as including Mr. Mike Domitrz, Ms. Anne Munch, and Ms. Veraunda Jackson. The USAFA trained a total of 317 first responders during APY 11-12 on topics such as victimology, common offender behaviors, collateral misconduct, how to work with victims, and reporting strategies. The training utilized scenarios, role play, and discussion. The USAFA also increased communication with off-base support agencies to increase quality of care and enhance the timeliness of sexual assault response.

Each of the Service academy assessments reflect coordinated working relationships between the MSA Sexual Assault Prevention Response Offices and Military Equal Opportunity Offices in efforts, initiatives, and training to prevent sexual harassment. Research has found a strong, positive correlation between sexual harassment and sexual assault in military units.<sup>13</sup> This premise is clearly understood and demonstrated in the close staff collaboration, initiatives, and training executed by each of the Service academy POSH and SAPR Programs.

Throughout APY 11-12, the MSAs demonstrated close staff collaboration, initiatives, and training executed by each of the academy POSH and SAPR Programs to address the continuum of behavior associated with sexual harassment and assault.

#### **4. IMPROVING SYSTEM ACCOUNTABILITY**

The Department’s fourth strategic priority is to improve system accountability. This priority focuses on improving the reliability and sustainment of POSH and SAPR services, and ensuring those services function in the way they were designed. Each Academy provides oversight of its POSH and SAPR programs.

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<sup>13</sup> Harned, M., Ormerod, A., Palmieri, P, Collinsworth, L.; and Reed, M. (2002). Sexual assault and other types of sexual harassment by workplace personnel: A comparison of antecedents and consequences. *Journal of Occupational Health Psychology*, 7, 174-188.

The USMA used monthly Sexual Assault Review Board (SARB) meetings chaired by the Superintendent to provide oversight of its SHARP program. SARB meetings covered the review of the program's progress, upcoming events, and recently closed and open sexual assault cases. During the quarterly Family Advocacy Committee meetings in APY 11-12, the Installation SARC provided a brief report on SAPR prevention and outreach activities during the previous quarter. The USCC Commandant conducted a monthly Human Relations/Center for Personal Development update, which provided the Commandant with information on open sexual assault cases, victim service trends, and other observations on current cadet life. The USCC SART met quarterly to identify possible areas of improvement in the team's response to incidents of sexual assault.

The USNA's SAPR and Command Managed Equal Opportunity (CMEO) offices, which report directly to the Superintendent, provided oversight of programs supporting the prevention and response of sexual harassment and sexual assault at the academy. Throughout APY 11-12, the USNA's SAPRO was headed by a senior officer who served as the SARC for the entire command. In addition, a full-time professor of sociology from the Department of Leadership, Ethics and Law assisted the SAPR staff with education program assessments and academic research related to the culture of sexual assault. The USNA also employed surveys throughout APY 11-12 to assess the effectiveness of sexual harassment and prevention education in order to improve the SHAPE program and assist with overall strategic communications from the SAPR and CMEO offices. The academy conducted a voluntary baseline survey of all incoming freshman on their views of sexual harassment and assault and also provided Fourth Class midshipmen with the opportunity to participate in a questionnaire to measure rape myth acceptance. Throughout APY 11-12, the USNA conducted monthly multi-disciplinary meetings to ensure program accountability and victim access to services.

Several programs at the USAFA provided oversight of POSH and SAPR programs throughout APY 11-12 through the use of DoD and Air Force instructions, inspections, surveys, and focus groups. The Academy Response Team (ART) is a multi-disciplinary sexual assault case management team that conducted case reviews and met twice each month. The USAFA also implemented pre- and post-event data collection efforts to evaluate and exercise oversight of SAPR training and educational programs. In addition to internal groups, the USAFA relied on several external assessments in order to improve system accountability. The Inspector General of the Air Force found the USAFA SAPR program in compliance with policy and rewarded the program with a team excellence award.

## **5. IMPROVE KNOWLEDGE AND UNDERSTANDING OF POSH AND SAPR**

The fifth DoD-wide priority is to improve knowledge and understanding of the POSH and SAPR programs. This priority focuses on improving proactive communication of SAPR and POSH information to stakeholders.

Throughout APY 11-12, the USMA maintained strong internal and external stakeholder engagement with USCC Candidates, staff, faculty, support personnel, the academy leadership team, and on-post organizations that provide victim care. The USMA also continued to partner with the Mental Health Associates of Orange County, Inc., and began partnering with the local colleges' sexual assault response providers to share lessons learned and educational resources. The USMA's Superintendent briefed members of Congress on the academy's SHARP Program, and several members of Congress sent staff delegations on visits to inquire about the Program. The staff delegations that visited the USMA appeared to have positive experiences, which were reinforced by their interactions with cadets and viewing the cadet-produced video.

The USNA continued to increase awareness of sexual harassment and assault across the stakeholder spectrum, including the Superintendent, Commandant of Midshipmen, Brigade of Midshipmen, faculty, staff, Congress, USNA Board of Visitors, alumni, parents and guardians, and sponsor families. The USNA provided training and increased access to SAPR material through the USNA intranet and Internet, increased outreach to various groups, and updated information on sexual harassment and assault and associated policies. In APY 11-12, the USNA provided an overview of the academy's SAPR Program to all freshmen within the first 14 days of reporting for duty, which was followed by a presentation by USNA SAPRO staff to reinforce prevention and response information and respond to any questions. The USNA also increased the SAPR refresher training that targeted Company Officers and Senior Enlisted Leaders.

The USAFA engaged internal and external stakeholders, including faculty, athletic staff, Cadet Wing leadership, preparatory school, 10th Air Base Wing, USAFA Board of Visitors, Colorado Springs' Memorial Hospital Sexual Assault Forensic Exam nursing staff in-service, and local high schools and universities. The USAFA maintained an informative relationship with them through a variety of programs. Significant highlights from APY 11-12 include the provision of a detailed case status update regarding all open ART cases to the Superintendent on a monthly basis, as well as weekly updates to the Commandant and Vice Commandants. Although they are not counselors, all Cadet Personal Ethics and Education Representatives are certified to serve as a first contact point of referral for cadets dealing with a range of issues, including sexual assault. The USAFA also provided briefings to the Athletic Department's staff and coaches on training, policies, and procedures related to sexual harassment and assault.

Identifying and tracking key measurements over time will be critical to demonstrate to stakeholders the efforts underway at the MSAs. Additionally, collaboration among the academies to share effective practices and new initiatives will contribute to the enhancement of SAPR and POSH Programs.

## **SUMMARY OF THE MILITARY SERVICE ACADEMY PLANS FOR APY 12-13**

The academies identified plans to continue to improve their POSH and SAPR Programs during APY 12-13. Additionally, the Department requested a status update on

incomplete or pending recommendations and action items from the APY 08-09 and APY 10-11 Reports, respectively. Though not all recommendations and action items from previous APY Reports have been completed, they are in progress, and the academies plan to complete them within APY 12-13.

The USMA plans to incorporate the Cadets Against Sexual Harassment/Assault (CASH/A) Program into the academy's already-existing POSH and SAPR Programs. CASH/A cadets are expected to serve as in-house, knowledgeable residents of the barracks who are able to explain the sexual assault and harassment reporting processes. The USMA expects that in APY 13-14, CASH/A cadets will have the opportunity for a Military Individual Advanced Development in order to attend the SHARP Program Training Course, which would allow cadets to provide an initial provision of victim advocacy. The USMA also plans to establish civilian full-time positions for the academy SARC and SAPR VA, in addition to updating its SAPR policy and improving lateral interaction with the other MSA response teams. The USMA expects these efforts to improve the sharing of best practices and resources across the MSAs.

The Department followed up with the USMA regarding outstanding action items from the APY 10-11 Report and recommendations from the APY 08-09 Report. The USMA completed 32 items and is in the planning or implementing stages of the remaining seven. The action items listed below are those that the USMA is working to complete during APY 12-13.

1. **Action:** Develop outcome-based metrics for prevention and efforts and trend analysis around changes to the SAPR Program.  
**Status:** In progress, estimated completion date is May 2013. Metrics have been established and the USMA is awaiting data and trend analysis.
2. **Action:** Develop a comprehensive sexual assault prevention curriculum.  
**Status:** In progress. The USMA is using this curriculum in APY 12-13, and the Department will re-evaluate at the next on-site assessment.
3. **Action:** Address collateral misconduct misperceptions in training.  
**Status:** In progress. The USMA established the policy and plans to include it in Cadet handbook for the Class of 2017.
4. **Action:** Implement the APY 08-09 recommendation to provide at least one full-time SAPR VA for cadets so that the psychotherapists on staff can exclusively focus their specialized skills on providing mental health services.  
**Status:** In progress, estimated on board date is December 2012. The USMA is converting two civilian positions into hiring actions for full-time SARC/SHARP Specialist and VA/SHARP Specialist personnel.
5. **Action:** The USMA should request resources to support the employment of one or more full-time SAPR VA(s) who will exclusively focus on providing advocacy services to the cadet population. The level of confidentiality a SAPR VA would have under this arrangement will need to be explored.

**Status:** In progress, estimated on board date is December 2012. The USMA is converting two civilian positions into hiring actions for full-time SARC/SHARP Specialist and VA/SHARP Specialist personnel.

6. **Action:** Utilize existing resources to create strategic planning efforts for the USMA's SAPR Program.

**Status:** In progress, estimated completion date is January 2013. The USMA requested an example from USAFA.

7. **Action:** Conduct inspection of the USCC SAPR Program.

**Status:** In progress. The Department of the Army's Inspector General is expected to inspect the USMA's USCC SAPR Program in the first quarter of FY13.

Courses of action for the USNA for APY 12-13 include reviewing recommendations and best practices from the *2012 SAGR Survey* and implementing recommendations and action items from past years' Reports. The USNA will continue to meet with SARCs, SAPR VAs, and law enforcement personnel from other service academies to share ideas, resolve common issues, discuss lessons learned, and target potential practices for inclusion into the USNA's SAPR and POSH Programs. The USNA will incorporate midshipmen CMEOs into the SHAPE Peer Education Program to ensure equal training across functionality with respect to sexual harassment. The USNA will also incorporate a section on "healthy relationships" into the already-existing SHAPE curriculum.

The Department followed up with the USNA regarding outstanding action items from the APY 10-11 Report and recommendations from the APY 08-09 Report. The USNA completed 17 items and is in the planning or implementing stages of the remaining five. The action items listed below are those that the USNA is working to complete during APY 12-13.

1. **Action:** Develop outcome based metrics for prevention training.  
**Status:** Planned. The metric development is in progress and anticipated implementation is in the spring of APY 12-13 during regularly scheduled SHAPE training.
2. **Action:** Continue to recruit volunteer Midshipmen SAR GUIDEs with the goal of two per company, one male, one female.  
**Status:** In progress. Recruitment efforts for APY 12-13 resulted in 51 qualified Midshipmen SAR GUIDEs, and the USNA will continue the process of recruiting volunteers across future APYs until the academy has reached the recommended goal.
3. **Action:** Consolidate all POSH and SAPR outcome data and metrics into a single product organized by the Department's strategic priorities.  
**Status:** Implementing. Basic statistics and exit interview information are currently provided to the USNA Chain of Command and presented at the SACMG. The USNA SAPRO will continue to use the DMDC survey and focus group information for trend analysis.
4. **Action:** The current Victim Witness Liaison Officer (VWLO) should receive SAPR and VWLO training as soon as possible. The VWLO is new to his current

position and has yet to receive victim witness assistance training or formal SAPR training.

**Status:** In progress. The individual temporarily acting as Victim Witness Assistant Coordinator (VWAC) has completed SAPR training and local VWAC training. The incoming VWAC replacement will receive proper training prior to assuming duties.

5. **Action:** The USNA SARC should train appropriate off-base hospital personnel on the correct procedures for mailing Sexual Assault Forensic Exam kits to the Navy Criminal Investigative Service Consolidated Evidence Facility in Norfolk, Virginia.

**Status:** In progress. Initial guidance was provided and future training is pending.

The USAFA plans to continue to reinforce the “Zero Tolerance” policy in order to achieve better prevention of sexual harassment and assault. The USAFA intends to focus on effective bystander intervention, alcohol use and its influence on sexual assault, and related appropriate prevention education. The “Green Dot” Program, a USAFA bystander intervention tool, will complete its two-year implementation period in the fall of 2013. In addition to continuing the implementation of many programs already in place, the USAFA hopes to begin setting up a secure email system and website that will offer confidential reporting between the victim and SARC, and a secure web-based program that will act as a virtual support group for victims to anonymously interact with each other for support.

The Department followed up with the USAFA regarding outstanding action items from the APY 10-11 Report and recommendations from the APY 08-09 Report. The USAFA completed 23 items and is in the planning or implementing stages of the remaining five. The action items listed below are those that the USAFA is working to complete during APY 12-13.

1. **Action:** Establish a quarterly conference call with MSA SAPR and POSH Program personnel.  
**Status:** The USAFA committed to establishing a quarterly conference call during the summer of 2012. The USAFA planned for the Equal Opportunity program to partner with SAPR program in establishing a call to integrate resources as applicable toward reducing sexual harassment in any form. In addition to this call, MSAs can contact each other as needed. The Department will follow up during the on-site assessment to ensure the formal quarterly call has been established.
2. **Action:** Develop outcome-based metrics to address all prevention efforts and further develop trend analysis around changes to the SAPR Program.  
**Status:** The USAFA is developing a comprehensive set of outcome-based metrics and a feedback/testing strategy for trend analysis with the projected completion during the middle of APY 12-13.
3. **Action:** Address collateral misconduct misperceptions in training.

**Status:** The USAFA is awaiting the Air Force's rewrite of new DoD SAPR guidance regarding definitions, changes to collateral misconduct, procedures, and policy.

4. **Action:** Establish a second SARC to support other units.

**Status:** The USAFA SAPR has written a training specialist core document and is working with leadership to establish and fund the position. The USAFA SAPR also recently upgraded the Administrative Assistant position to a SAPR Specialist and has submitted a waiver request to permit this individual to act as the alternate SARC.

5. **Action:** The USAFA leadership should consider training volunteer SAPR VAs and/or additional full-time staff to work with victims originating within the Air Base Wing, the Preparatory School, and the Pueblo County populations. At least two full-time SAPR VAs should continue to concentrate on the cadets.

**Status:** The USAFA leadership met in late APY 11-12 to assess the feasibility of adding additional SAPR staff. Simultaneously, the Air Force is attempting to add a full-time VA position to each installation. No timeframe has been established for the SAPR VA position, but the Department will follow up during the on-site assessment.



## STATISTICAL DATA ON SEXUAL ASSAULT: BACKGROUND

### WHAT IT CAPTURES:

#### Reports of Sexual Assault

- DoD sexual assault data captures the Unrestricted and Restricted Reports of sexual assault made to the MSAs during APY 11-12.
- In the context of the DoD statistics that follow, an Unrestricted Report of sexual assault is an allegation by one or more victims against one or more suspects (referred to in the Department as “subjects of investigation” or “subjects”) that are referred to and investigated by a Military Criminal Investigation Organization (MCIO), which could include Army CID, Naval Criminal Investigative Service (NCIS), or Air Force Office of Special Investigations (AFOSI).
- Data on Restricted Reports is limited because these are reports of sexual assault made to specified parties within the Department (i.e., SARC, SAPR VA, or healthcare provider) that allow the report to remain confidential and allow the victim to seek care and services. Given the victim’s desire for confidentiality, these reports are not investigated. Victims are not required to provide many details about these sexual assaults. As a result, only data about the victim and very limited data about the offense are recorded. Subject identities in Restricted Reports are not requested or maintained by the Department.
- The Department’s sexual assault reporting statistics include data about contact sexual crimes by adults against adults, and attempts to commit these acts, as defined in Articles 120, 125 and Article 80 of the UCMJ. The data in this document involves only cadets and midshipmen as either a victim or a subject of a sexual assault investigation. Data about sexual assault reports in the US Armed Forces in general is released each April, and available at <http://www.sapr.mil/index.php/annual-reports>.
- The DoD uses the descriptive term “sexual assault” to refer to a range of offenses defined by the UCMJ, including rape, aggravated sexual assault, nonconsensual sodomy, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, and attempts to commit these offenses. On June 28, 2012, following the close of APY 11-12, modifications to the UCMJ took effect. These modifications replaced the crime of “Aggravated Sexual Assault” with the crime of “Sexual Assault” (a specific crime under the UCMJ as well as a descriptive term) and eliminated the crime of “Wrongful Sexual Contact.”
  - When a report is listed under a crime category, it means the crime was the most serious of the allegations reported by the victim or investigated by investigators. It does not necessarily reflect the crime(s) used to support court-martial charges or some other form of disciplinary action against a subject.

- The number of sexual assaults reported to MSA authorities in APY11-12 *does not* necessarily reflect the number of sexual assaults that may have occurred in that APY.
- Civilian research indicates victims only report a small fraction of sexual assaults to law enforcement. For example, of the 1.1 million U.S. civilian women estimated to have experienced nonconsensual vaginal, oral or anal penetration in 2005, only about 173,800 (16%) ever reported the matter to police. For the estimated 673,000 U.S. civilian college-aged women who experienced nonconsensual vaginal, oral, or anal penetration, only about 77,395 (11.5%) reported it to the police.<sup>14</sup>
- This reporting behavior is mirrored in the U.S. Armed Forces. As noted in the FY10 Annual Report on Sexual Assault in the Military, the Department estimates that 2,617 (14%) of the 19,000 Service members who are estimated to have experienced one of the various offenses captured in the DoD definition of sexual assault reported the matter to a DoD official in FY10. For more information, refer to the FY10 Report, available at <http://www.sapr.mil/index.php/annual-reports>.

### Subject Dispositions

- Once the investigation of an Unrestricted Report is complete, the Department requires the MSAs to provide the outcome of the cases against each subject named in an investigation. These are called “subject dispositions.”
- The Department holds those Service members who have committed sexual assault appropriately accountable based on the available evidence.
- Legal authority for the Department is limited to Service members who are subject to the UCMJ and, therefore, its military justice jurisdiction. Cadets and Midshipmen are Service members and are under the legal authority of the UCMJ. Except in rare circumstances, a civilian is not subject to the UCMJ for the purpose of court-martial jurisdiction or other military justice discipline.
- If a Service Member violates the UCMJ, the criminal law of a state, a criminal law of the United States, or any combination thereof, the determination of which agency shall exercise jurisdiction is normally made through consultation or prior agreement between appropriate military officials and civilian authorities. Under the Constitution, a person may not be tried for the same misconduct by both a court-martial and another federal court. Although constitutionally permissible to try a person by court-martial and by a State for the same act, as a matter of policy, a person who is pending trial or has been tried by a State court is not ordinarily tried by court-martial for the same act.
- Each year, the Department lacks jurisdiction over some subjects in its investigations. These are the civilians, foreign nationals (who are not subject to

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<sup>14</sup> Kilpatrick, D., Resnick, H., Ruggiero, K., Conoscenti, L., and McCauley, J. (2007). *Drug-facilitated, incapacitated, and forcible rape: A national study*. Washington, DC: U.S. Department of Justice.

UCMJ), and unidentified subjects who are reported to have sexually assaulted Service members.

- When the DoD has jurisdiction over the subject (person), the subject's military commander is responsible for reviewing the investigation and making appropriate initial disposition decisions when supported by sufficient evidence. In June 2012, the Secretary of Defense directed that subject initial disposition decisions for the crimes of Rape, Sexual Assault, and Nonconsensual Sodomy be made at the Special Court Martial Convening Authority level (typically a Colonel or Navy Captain). At the MSAs, the Superintendent (a Lieutenant General or a Vice Admiral) is the case initial disposition authority.
  - Commanders do not make such decisions by themselves. Military attorneys assist commanders in identifying the charges that can be made, the appropriate means of addressing such charges, and punishments that can be administered if supported by the evidence.
  - There are many cases each year when disciplinary action is precluded (i.e., not possible) due to legal issues or evidentiary problems with a case. For example, when the investigation fails to show sufficient evidence of an offense to prosecute or when the victim declines to participate in the justice process, a commander may be precluded from taking action against a subject.
- In the data that follows, when more than one initial disposition decision for action is involved (e.g., when nonjudicial punishment is followed by an administrative discharge), subject disposition is only reported once per subject. This is done according to the most serious decision taken by the commander, which in descending order is preferral of court-martial charges, nonjudicial punishment, administrative discharge, and other adverse administrative actions. At the MSAs, adverse administrative actions include the cadet/midshipman disciplinary system.

### WHOM IT DESCRIBES:

- Unrestricted and Restricted Reports capture sexual assaults committed by or against Service members. In this document, sexual assault reports primarily involve cadets and midshipmen. However, people outside of the U.S. Armed Forces sometimes victimize a Service member or can be victimized by a Service member. Information describing these victims and subjects is also included in the following statistics, as are reports of pre-service sexual assault incidents.
- An Unrestricted Report of sexual assault can include one or more victims, one or more subjects, and one or more crimes. **Therefore, the number of reports does not equal the number of victims or the number of subjects.**
- Restricted Reports, by policy, only involve one victim per reported incident. In Restricted Reports, no personally identifiable information is maintained for alleged subjects.

- Demographics information on victims and subjects is only drawn from *completed investigations* of Unrestricted Reports and from SARC records of victims in Restricted Reports.

### WHEN IT HAPPENED:

- The information in this report is drawn from sexual assault reports made to the MSA authorities during APY 11-12 (1 June 2011 to 31 May 2012).
- The data that follows is a snapshot in time. In other words, the following information describes the status of sexual assault reports, investigations, and subject dispositions on 31 May 2012—the last day of APY 11-12.
- Some investigations extend across APYs. For example, it often takes several months to investigate a report of sexual assault. As a result, those investigations that were opened toward the end of the APY typically carry over to the next APY. Therefore, the information presented in this report is not linear, meaning that the number of sexual assault reports received during the year will not be equal to the number of completed investigations during the year.
- Subject disposition decisions can also extend across APYs. As a result, a portion of dispositions are “pending” or not yet reported at the end of the year. The Department tracks these pending dispositions and requires the Military Services to report on them in subsequent years’ reports.
- Under the Department’s SAPR Policy, there is no time limit as to when someone can report a sexual assault to a SARC or MCIO. Thus, in any given year, the Department may not only receive reports about incidents that occurred during the current year, but also incidents that occurred in previous years or prior to a Service member’s enlistment or commissioning that were not reported until the current year.

### HOW IT’S GATHERED:

- Data about Unrestricted Reports of sexual assault reports is drawn from official investigations conducted by the MCIOs. Academy SARCs collect data about Restricted Reports of sexual assault.
- Each APY, the Under Secretary of Defense for Personnel and Readiness submits a data call to the MSAs to collect the required statistical and case synopsis data. DoD SAPRO aggregates and analyzes this data.

### WHY IT’S COLLECTED:

- Congress requires data about the number of sexual harassment and sexual assault reports and the outcome of the allegations made against each subject.
- The Department also collects this data to inform SAPR policy, program development, and oversight.

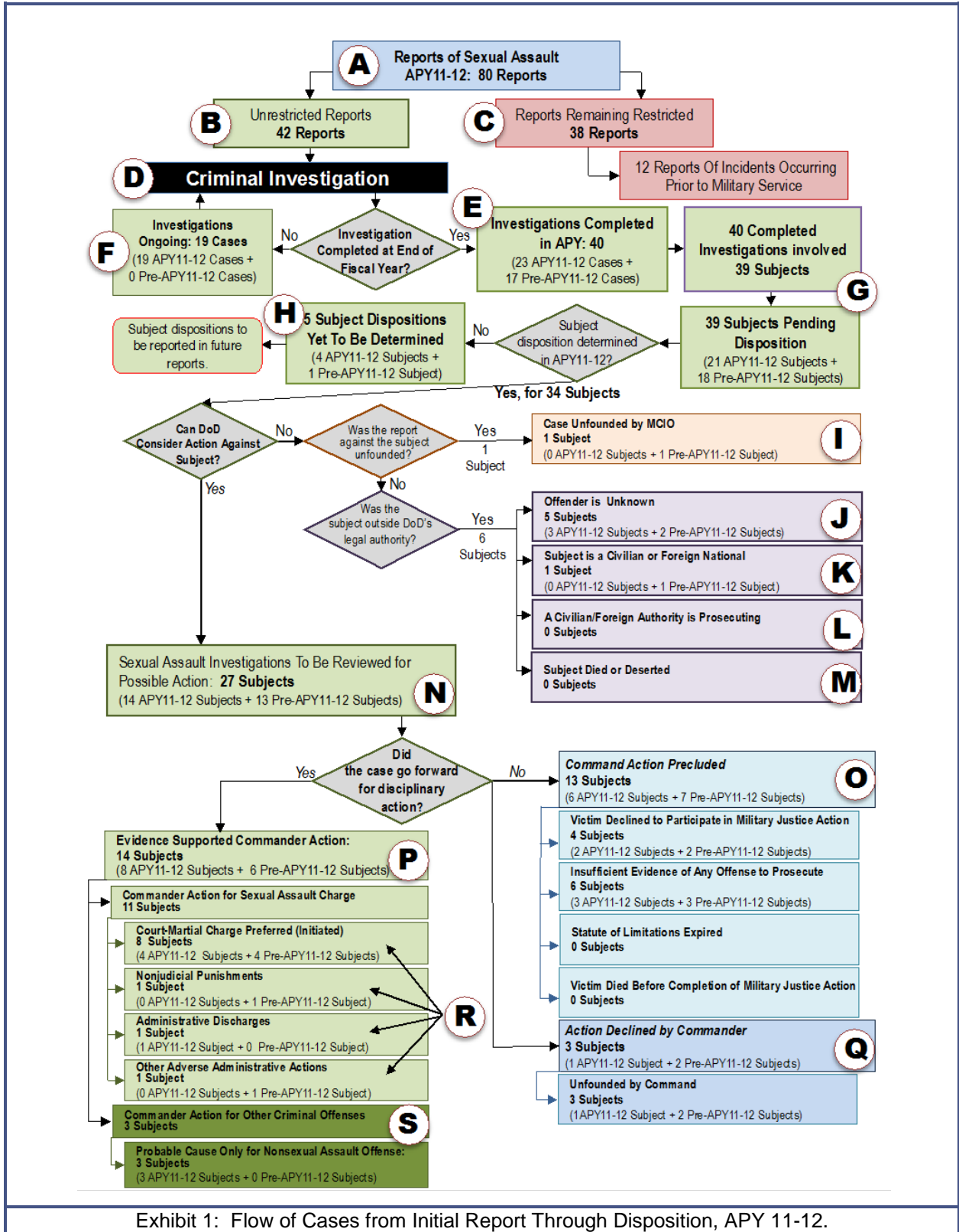


Exhibit 1: Flow of Cases from Initial Report Through Disposition, APY 11-12.

## AGGREGATE REPORTS OF SEXUAL ASSAULT

This section closely follows the flow chart shown in Exhibit 1. Points in the flow chart have been labeled with a letter that corresponds to the information in the text that follows.

In APY 11-12, cadets and midshipmen were involved in a total of 80 reports of sexual assault made to the MSAs (Exhibit 1, Point A), representing an increase of 15 reports from APY 10-11.

- The MSAs received 42 Unrestricted Reports involving cadets and midshipmen as either the victim or subject of a sexual assault investigation (Exhibit 1, Point B).
- The MSAs initially received 42 Restricted Reports involving cadets and midshipmen as victims of sexual assault.
  - Four of the Restricted Reports later converted to Unrestricted Reports and are included in the 42 unrestricted reports referenced above, leaving 38 Restricted Reports remaining at the end of APY 11-12 (Exhibit 1, Point C).
    - Of the 38 Restricted Reports, 12 reports were for an incident of sexual assault that occurred prior to the cadet or midshipman entering military Service. The remaining 26 Restricted Reports were for incidents that occurred during military service.
- In the 80 reports to MSA authorities this year, 71 cadets and midshipmen reported they had been the victim of some form of sexual assault, ranging from rape to unwanted sexual touching.<sup>15</sup>
  - 33 cadets and midshipmen made or converted to an Unrestricted Report
  - 38 cadets and midshipmen made and maintained Restricted Reports

Sexual assault is one of the most underreported crimes in the United States. Estimates suggest that fewer than 15% of sexual assaults in a college environment are ever reported to the police.<sup>16,17</sup> This reporting behavior is mirrored at the MSAs. According to the *2012 SAGR Survey*, only about 11% of cadets and midshipmen who experienced unwanted sexual contact indicated on the survey that they brought the matter to a military authority. Research shows that victims who report the crime are more likely to seek and receive medical treatment and other forms of assistance.<sup>18,19</sup>

The Department's 2005 Policy on this subject directs greater sexual assault prevention, encourages increased reporting of sexual assault, improves response capabilities for victims, and encourages victims to participate in military justice actions, if they so desire. This policy influenced the development of the Department's strategic plan and

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<sup>15</sup> One cadet was reported as the victim in two separate, unrelated investigations. The remaining reports did not involve cadets or midshipmen as victims.

<sup>16</sup> Kilpatrick, et. al., (2007).

<sup>17</sup> Krebs, C., Lindquist, C., Warner, T., Fisher, B., Martin, S. (2007). *The Campus Sexual Assault Study*. Washington, DC: US Department of Justice, National Criminal Justice Research Service. Document Nr. 221153.

<sup>18</sup> Unwanted sexual contact is the survey term for the crime of sexual assault, which includes rape to abusive sexual contact.

<sup>19</sup> Rand, M., Rennison, C., & DOJ. (2002). *Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992-2000* [Online]. Available: <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=1133>.

five priorities in 2009. As there is no civilian model to guide Department efforts, the development of this plan, its application to the field, and the identification of meaningful metrics has been an iterative process. The Department began associating certain metrics with its strategic priorities as a means to conduct oversight of the SAPR program.

The following section describes aggregate data about sexual assault at the academies. However, it should be noted that the metrics identified for each strategic priority do not imply a cause and effect relationship. In other words, data does not conclusively identify the factors behind the increase or decrease in any particular data point. Despite this shortcoming in explanatory capability, the Department believes that it, the Services, and the academies have the ability to make helpful change using the strategic priorities to guide the efforts of all involved. The fruits of these efforts or the need for different approaches may influence the outcomes in data discussed below. The Department will continue work to improve the quality and explanatory capability of the metrics it tracks.

While reports of sexual assault have fluctuated since the Department started keeping track of MSA data in APY 04-05, the MSAs show an overall upward trend in victim reports of sexual assault since APY 08-09. Although one sexual assault is too many, the overall increase in victim reporting behavior since APY 08-09 is encouraging, as it is consistent with the Department’s goal to bring more victims forward to report the crime. When Service members report sexual assaults, the Department is better positioned to provide resources to victims and hold those who commit sexual assault accountable, as appropriate. This reporting increase is illustrated in Exhibit 2a, which shows the total number of sexual assault reports made to the MSAs over the past seven APYs.

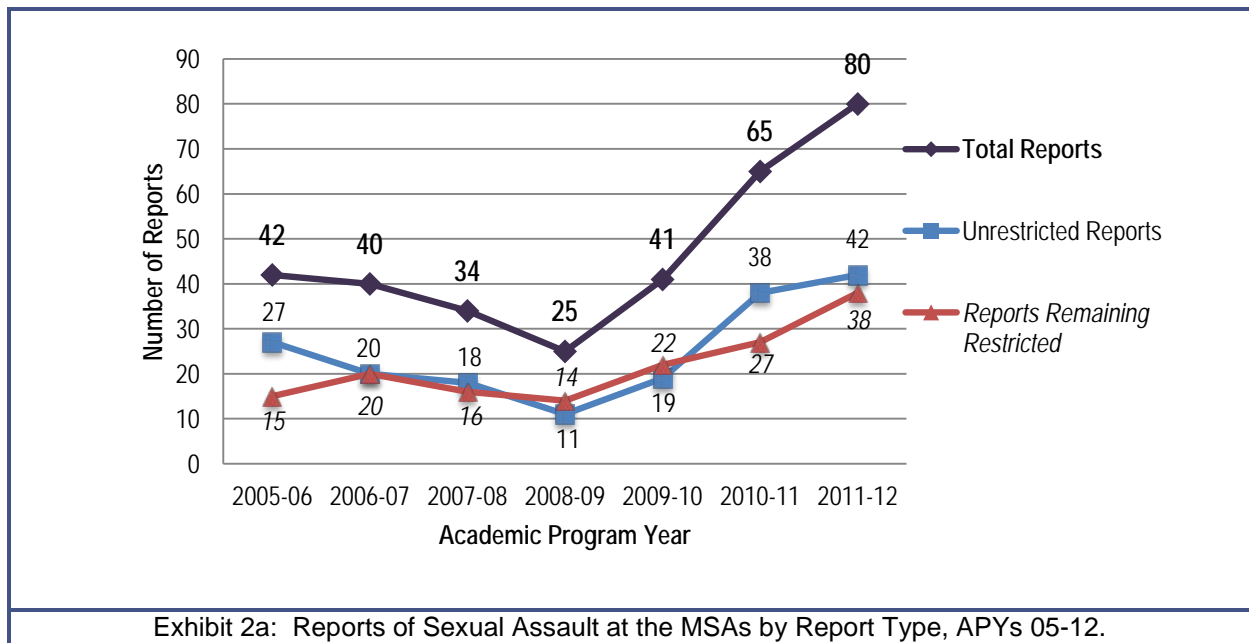


Exhibit 2b breaks out the cadets and midshipmen who made a report of sexual assault for coping with incidents that occurred prior to entry at their Academy and is

represented by the dotted lines. In APY 11-12, twelve cadets/midshipmen made Restricted Reports and one cadet made an Unrestricted Report for an incident that occurred prior to their entry into a Academy.

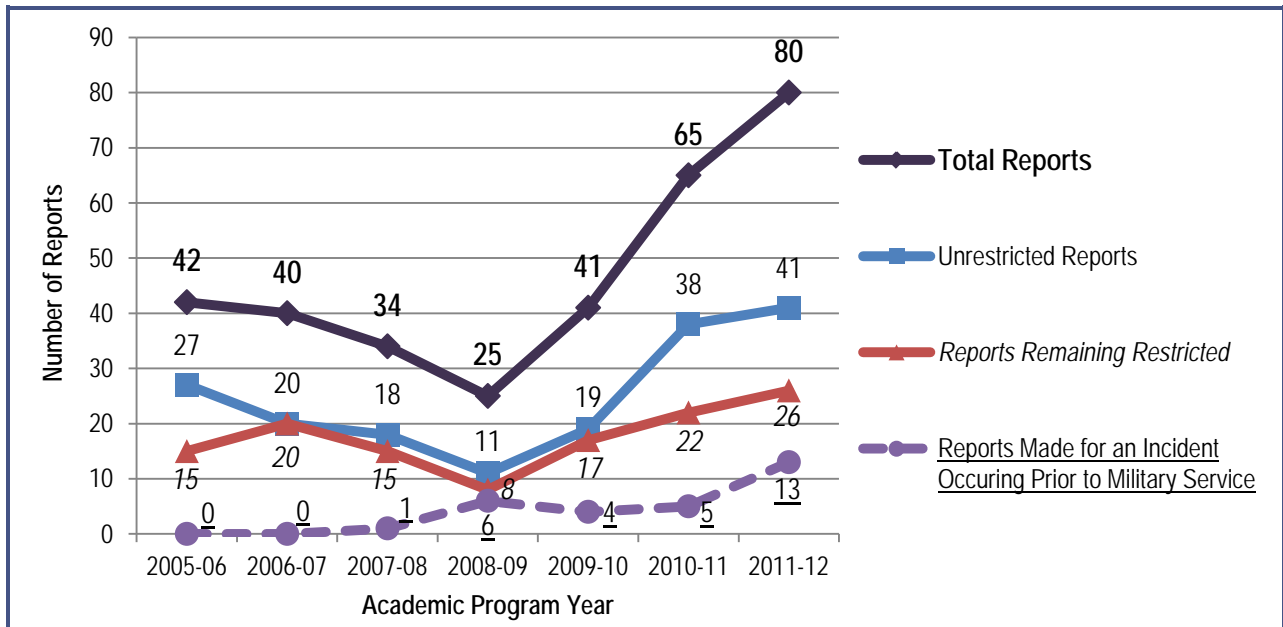


Exhibit 2b: Reports of Sexual Assault at the MSAs by Report Type and by Number of Reports of Sexual Assault that Occurred Prior to Military Service, APYs 05-12.

Exhibit 3 shows reports by Academy.

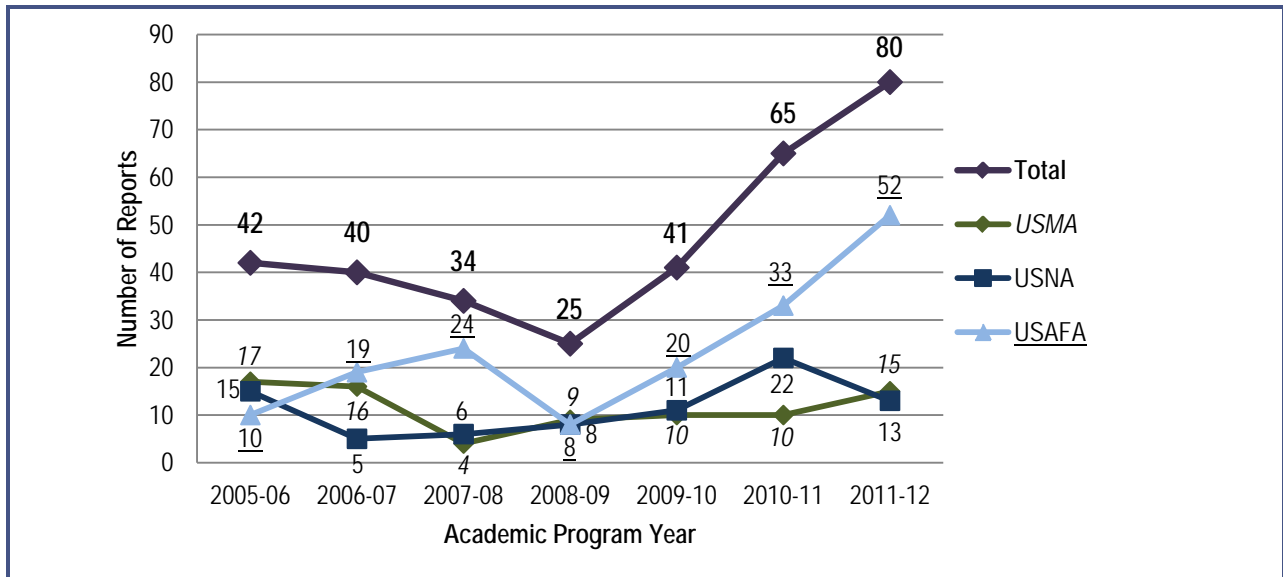


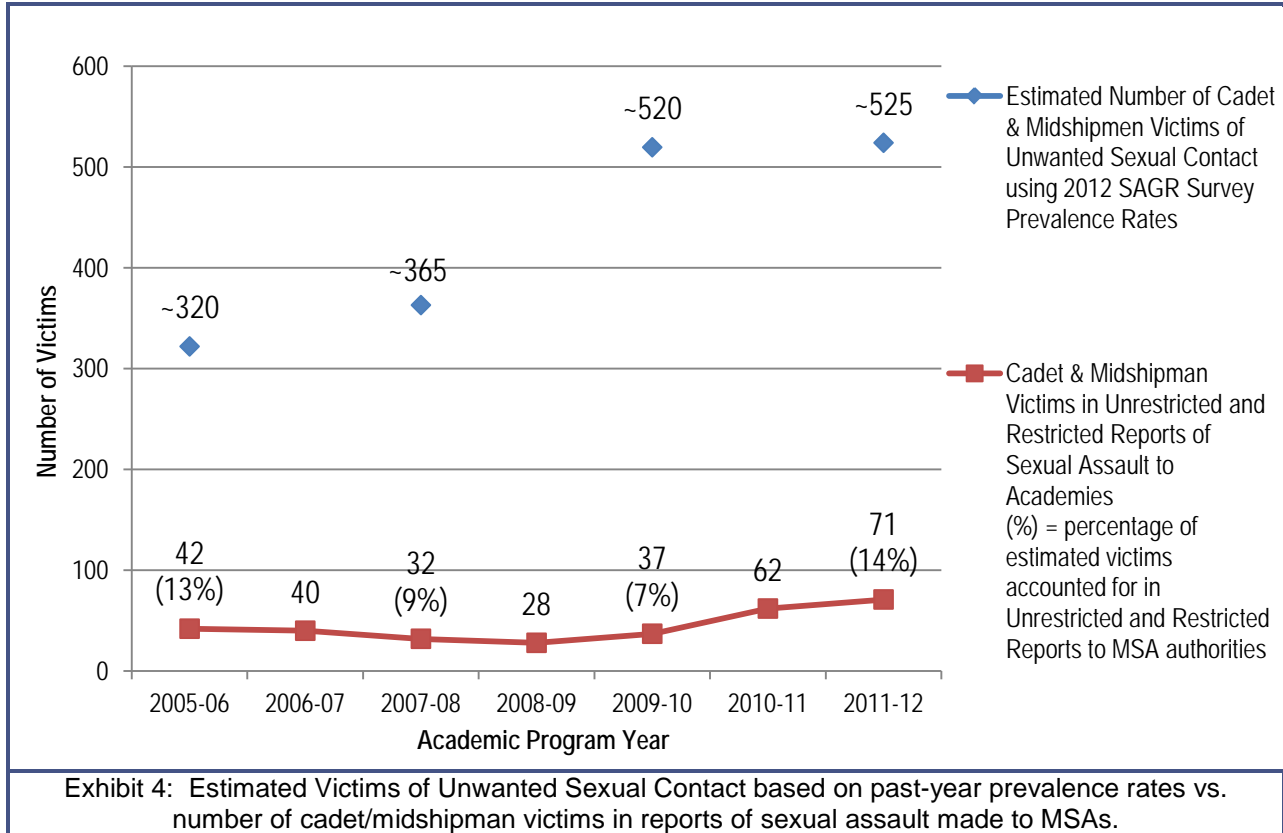
Exhibit 3: Reports of Sexual Assault at the MSAs by academy, APYs 05-12.

Reports of sexual assault made to Department authorities provide limited insight into the overall phenomenon of sexual assault at the MSAs. As previously mentioned, sexual assault in United States and military society is underreported, meaning that reports to



authorities are outnumbered by the sexual assaults estimated to occur using surveys of a given population. At the MSAs, the SAGR Survey is conducted every two years to estimate the annual prevalence rate of sexual assault in the MSA population. The Department uses the SAGR Survey estimates to track progress on the DoD-wide SAPR Strategic Plan Priority 1, which institutionalizes prevention efforts.

Exhibit 4 displays how past SAGR Survey estimates of sexual assault (known on the survey as “unwanted sexual contact”) compare to the Unrestricted and Restricted Reports received by the academies.<sup>20,21</sup>



## APY 11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULT

In APY 11-12 there were 42 Unrestricted Reports of sexual assault involving cadets and midshipmen as either the subject and/or victim of a sexual assault investigation.

<sup>20</sup> Although this term does not appear in the UCMJ, for the purposes of the SAGR Survey, it is used to refer to a range of activities that the UCMJ prohibits, including completed or attempted sexual intercourse, nonconsensual sodomy (oral or anal sex), penetration by an object, and the unwanted touching of genitalia and other sexually related areas of the body.

<sup>21</sup> The estimated number of victims is developed using the SAGR survey estimated unwanted sexual contact prevalence rates multiplied by the academy cadet/midshipmen population at the time of the survey. It should be noted that the timeframe covered by the SAGR Survey question pertaining to unwanted sexual contact experienced in the year prior to when the survey was conducted and does not always align exactly with the APY. As a result, the SAGR Survey victim numbers *are only estimates*, due to the sampling error associated with survey data and the slightly different timeframes. Nevertheless, the Department uses these estimates as an indicator of problem severity at each of the academies.

- 33 of the Unrestricted Reports involved cadets and midshipmen as victims
  - One cadet made an Unrestricted Report relating to a sexual assault that occurred prior to academy matriculation.

Once an Unrestricted Report of sexual assault is made, Department policy requires that the report be forwarded to an MCIO for investigation (Exhibit 1, Point D). Depending upon the complexity of the alleged crime, an investigation can take a few weeks to several months to complete. Not all of the reports made in a given year are completely investigated by the end of that year.

- Of the 42 criminal investigations initiated during APY 11-12, 23 investigations were completed in APY 11-12. The outcomes of the other 19 investigations will be reported in forthcoming years' reports (Exhibit 1, Point F).
  - 17 investigations of sexual assault from prior reporting periods (APY 10-11) were also completed during APY 11-12.
  - In sum, 40 investigations of sexual assault (Exhibit 1, Point E) involving 39 subjects (Exhibit 1, Point G) were completed during APY11-12 (one subject was investigated twice for unrelated incidents).
  - By the end of APY 11-12, legal authority and disposition had yet to be determined for 5 subjects of investigations closed in APY11-12 (Exhibit 1, Point H). Disposition for these subjects will be documented in future reports.

When an Unrestricted Report of sexual assault is made, the MCIOs investigate all alleged violations of military law contained in the report. However, to comply with legislated reporting requirements, the Unrestricted Reports are categorized by the most serious sexual assault infraction alleged. Exhibit 5 shows the sexual assault crimes investigated for the 42 Unrestricted Reports made in APY 11-12. It should be noted that the crime investigated might not always result in the same crime being charged or addressed with disciplinary action. For example, if the crime of "Rape" is alleged and investigated, but only evidence for the crime of "Wrongful Sexual Contact" is substantiated during the investigation, then only the crime of "Wrongful Sexual Contact" can be charged.

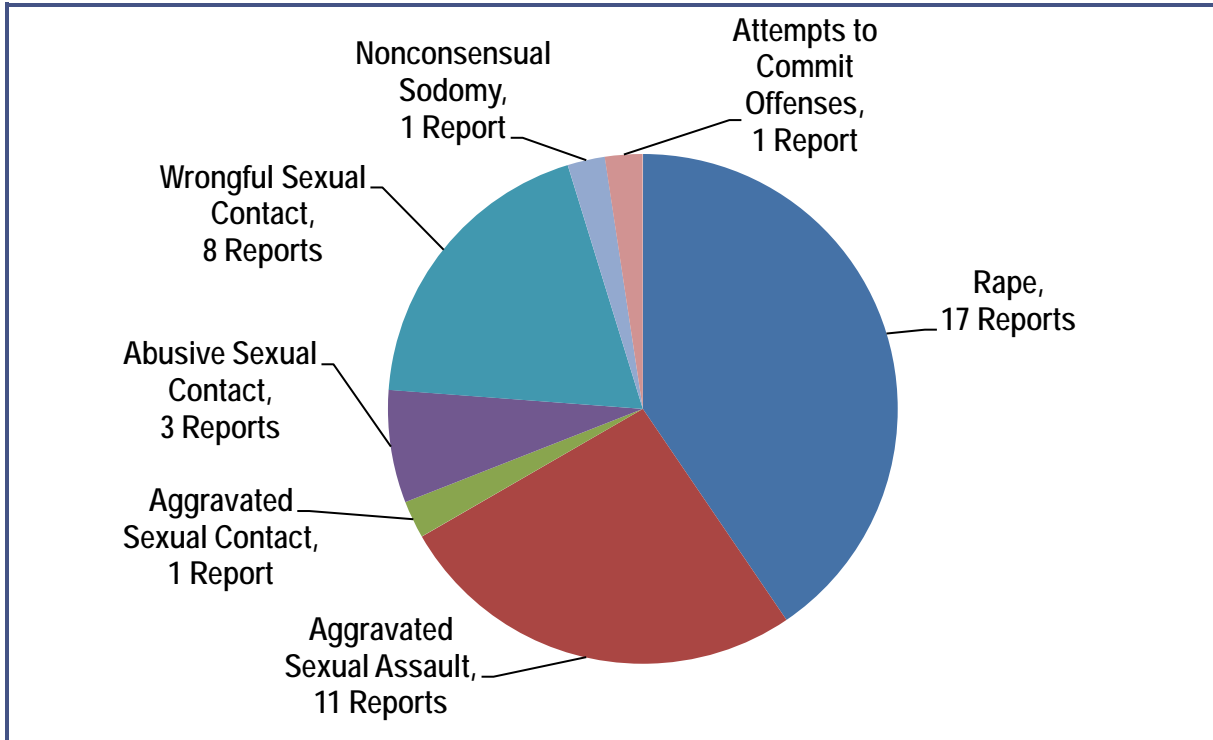


Exhibit 5: Sexual assault crimes investigated in Unrestricted Reports of sexual assault, APY 11-12.

In APY 11-12, 20 of the 42 Unrestricted Reports involved the victimization of a cadet or midshipman by another cadet or midshipman. Exhibit 6 illustrates how cadets and midshipmen were involved in sexual assault reports.

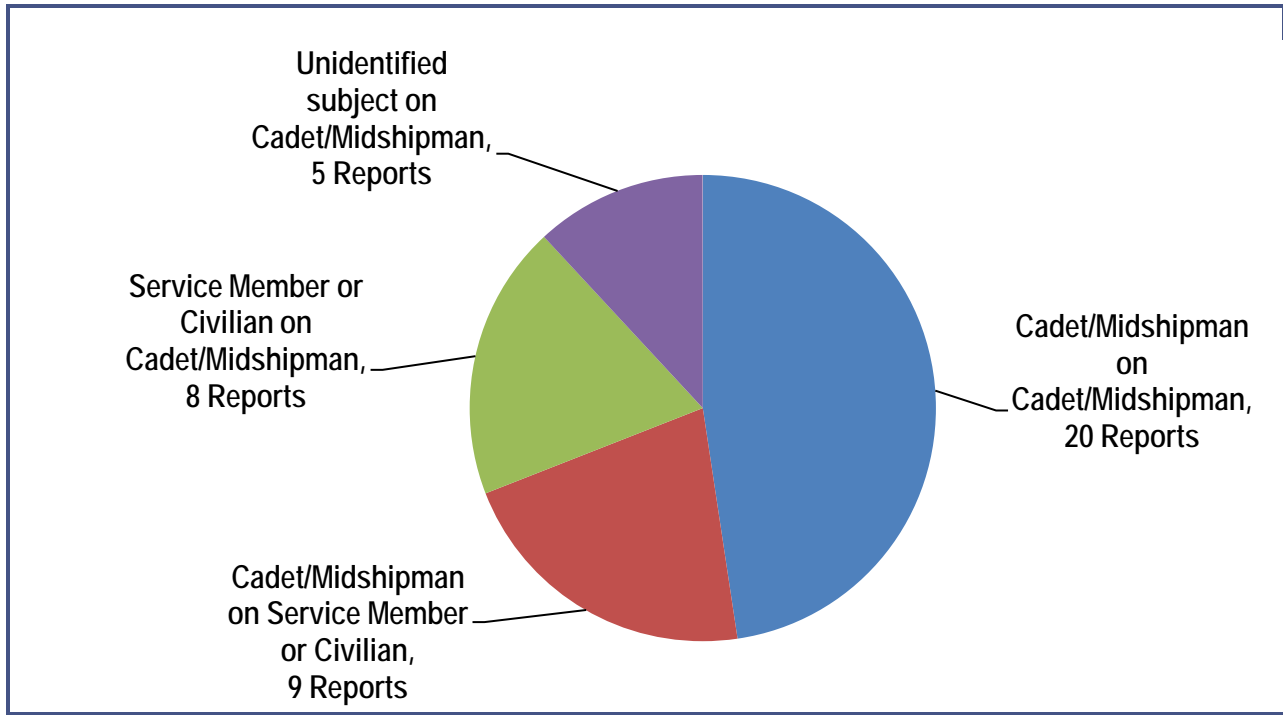


Exhibit 6: Unrestricted Reports of Sexual Assault by Victim and Subject Status, APY 11-12.

## Disposition of Completed Investigations

When an Unrestricted Report is investigated, the goals of the investigation are to identify what crimes have been committed, who has been victimized, and who may be held appropriately accountable for the crime. It is the intent of the Department to hold offenders appropriately accountable when it has legal authority and available evidence supports such action. The 40 criminal investigations closed in APY 11-12 involved 39 subjects.<sup>22</sup> By the end of the APY 11-12, the MSAs had outcome information for 34 of the 39 subjects.

Exhibit 1 shows the flow of sexual assault reports from initial allegation through final disposition. Seven subjects were outside the legal authority of the Department of Defense.

- Allegations against one subject were unfounded by the MCIO (Exhibit 1, Point I).
- Five subjects could not be identified, despite a thorough investigation (Exhibit 1, Point J).
- One subject was a civilian who was not subject to military law (Exhibit 1, Point K).

Reports of investigation on the 27 subjects within the legal authority of the DoD were provided to MSA authorities to consider for appropriate disciplinary action (Exhibit 1, Point N):

- Commanders had sufficient evidence of a crime to support taking disciplinary action against 14 subjects (Exhibit 1, Point P).
  - The actions taken for sexual assault crimes are as follows (Exhibit 1, Point R):

▪ Court-martial charges preferred (initiated):	8 subjects
▪ Nonjudicial punishments (Article 15, UCMJ):	1 subject
▪ Administrative discharges:	1 subject
▪ Other Adverse Administrative Action:	1 subject
  - The actions taken for other misconduct that was discovered during the course of the sexual assault investigation are as follows (Exhibit 1, Point S):

▪ Administrative discharges:	1 subject
▪ Other Adverse Administrative Action:	2 subjects
- Commanders could not take action against 13 subjects (Exhibit 1 Point O).
  - For 10 subjects, command action for sexual assault charges was precluded because:
    - The victim declined to participate in military justice actions against 4 subjects.
    - Investigation of the allegations against six subjects disclosed insufficient evidence of an offense to prosecute.
  - For three subjects, command action for sexual assault charges was declined because MSA authorities determined the allegations against the subjects were unfounded (Exhibit 1, Point Q).

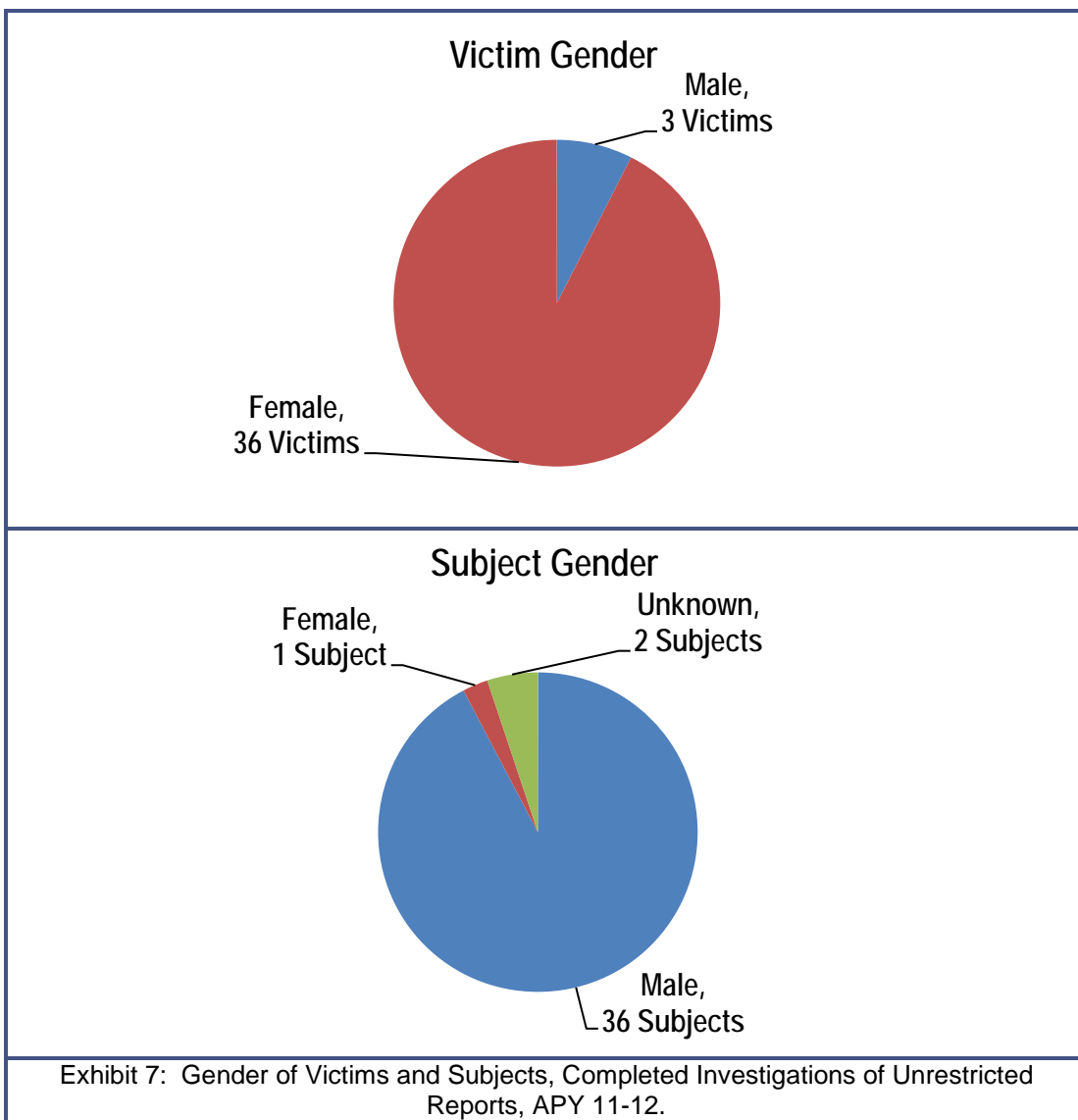
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<sup>22</sup> One of the subjects was investigated more than once for a sexual assault crime.

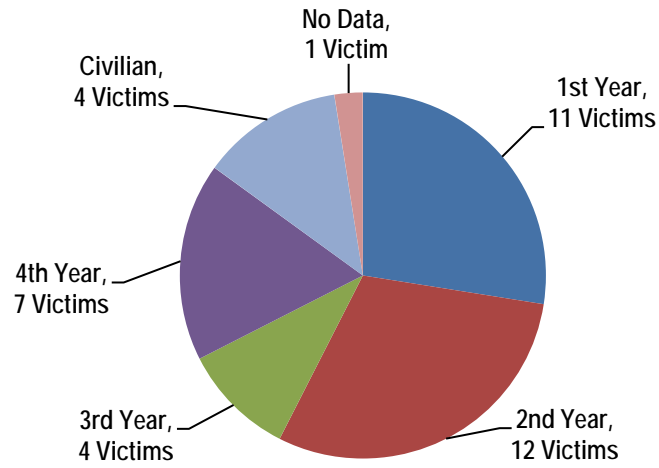
### Demographics of Unrestricted Reports

The following demographic information is drawn from the 40 investigations of sexual assault that were initiated and completed during APY 11-12. These investigations involved 39 victims and 39 subjects. One subject and one victim were involved in multiple, unrelated investigations.

Exhibit 7 shows victim and subject gender. Exhibit 8 illustrates victim and subject status (year in school, active duty member, civilian, etc.). Cadets and Midshipmen in their first year of school are equivalent to college freshmen; fourth year cadets are college seniors.



### Victim Status



### Subject Status

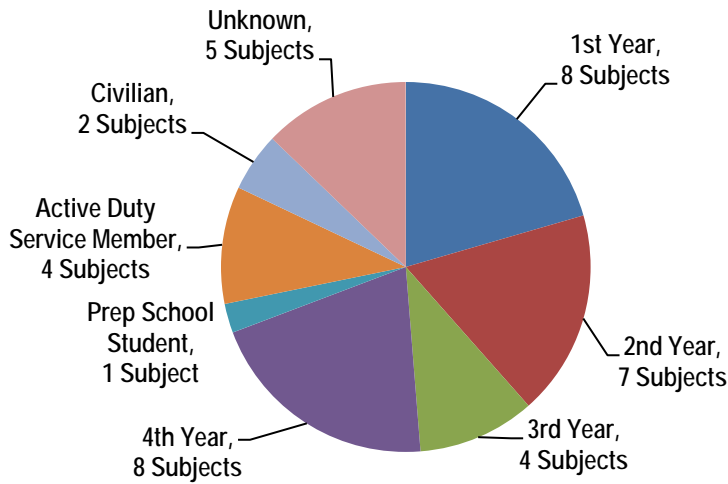


Exhibit 8: Status of Victims and Subjects in Completed Investigations of Unrestricted Reports, APY 11-12.

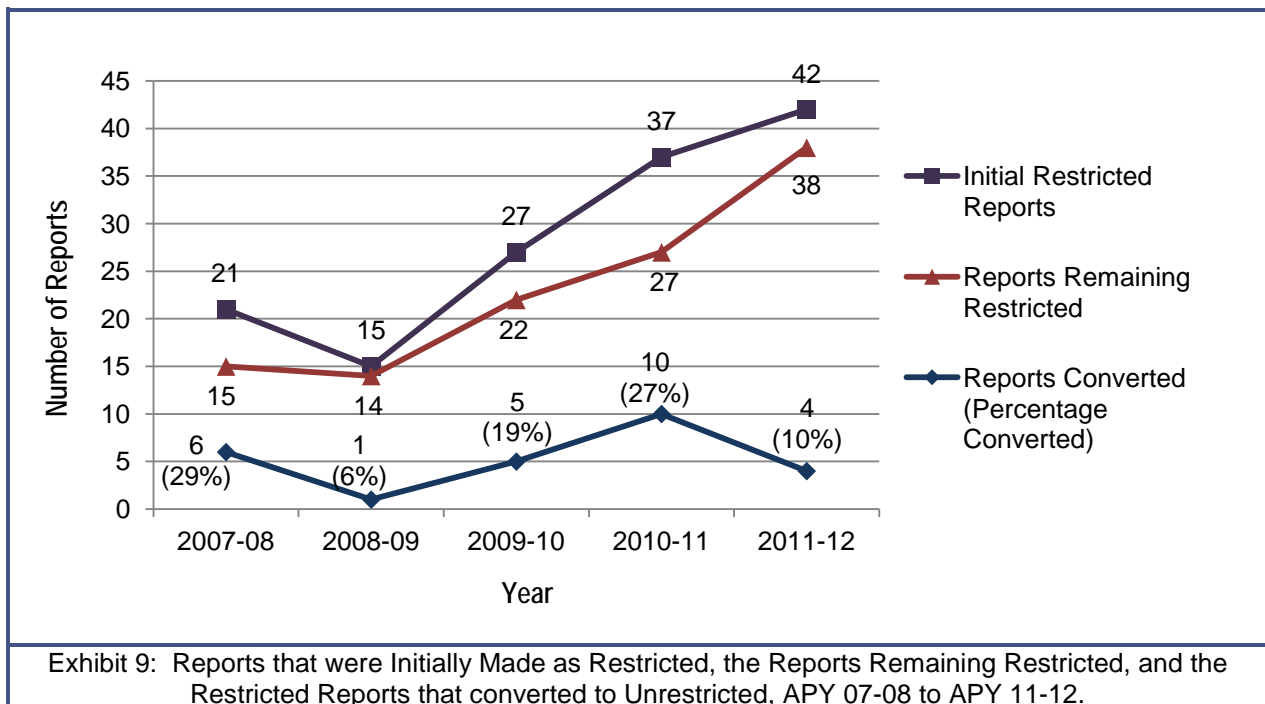
## APY 11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT

SARCs and SAPR VAs ordinarily collect information about Restricted Reports. Because Restricted Reports are confidential, covered communications as defined by Department Policy, SAPR personnel only collect limited data about the victim and the allegation being made. As with Unrestricted Reports, Restricted Reports can be made for incidents that occurred in prior reporting periods and incidents that occurred prior to military service.

In APY 11-12, there were 42 initial Restricted Reports of sexual assault.

- Of the 42 reports, four converted to Unrestricted Reports at the request of the victim.
- At the close of APY 11-12, 38 reports remained Restricted.<sup>23</sup>
  - 12 cadets/midshipmen made a Restricted Report and obtained services for a sexual assault that occurred prior to military service.
  - 26 cadets/midshipmen made a Restricted Report and obtained services for a sexual assault that occurred while in military service.

The percentage of victims desiring to convert their Restricted Reports to Unrestricted Reports at the MSAs has fluctuated from year to year. Exhibit 9 shows the Restricted Reports and conversion rates for the past five APYs.



<sup>23</sup> The Restricted Reports that converted to Unrestricted Reports are included in the Unrestricted Report data cited earlier.

### Demographics of Restricted Reports of Sexual Assault

The following information pertains to cadets and midshipmen who made a Restricted Report of sexual assault. Exhibit 10 shows the categories of Restricted Reports reported to the MSAs and Exhibits 11 and 12 provide the victim gender and grade data, respectively.

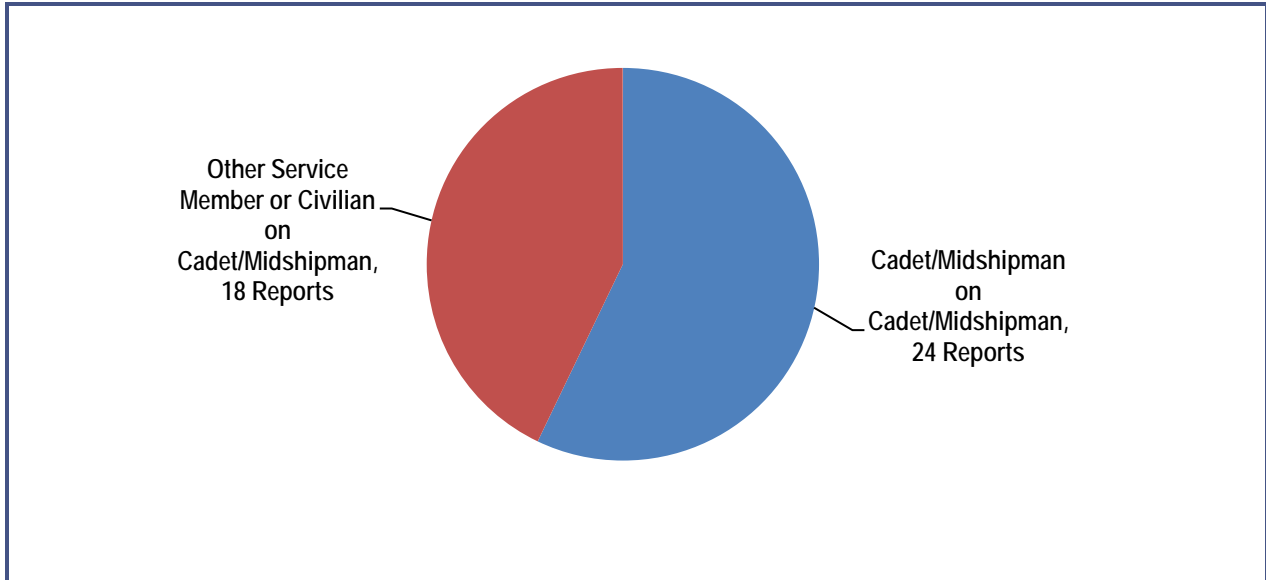


Exhibit 10: Categories of Restricted Reports of Sexual Assault, APY 11-12.

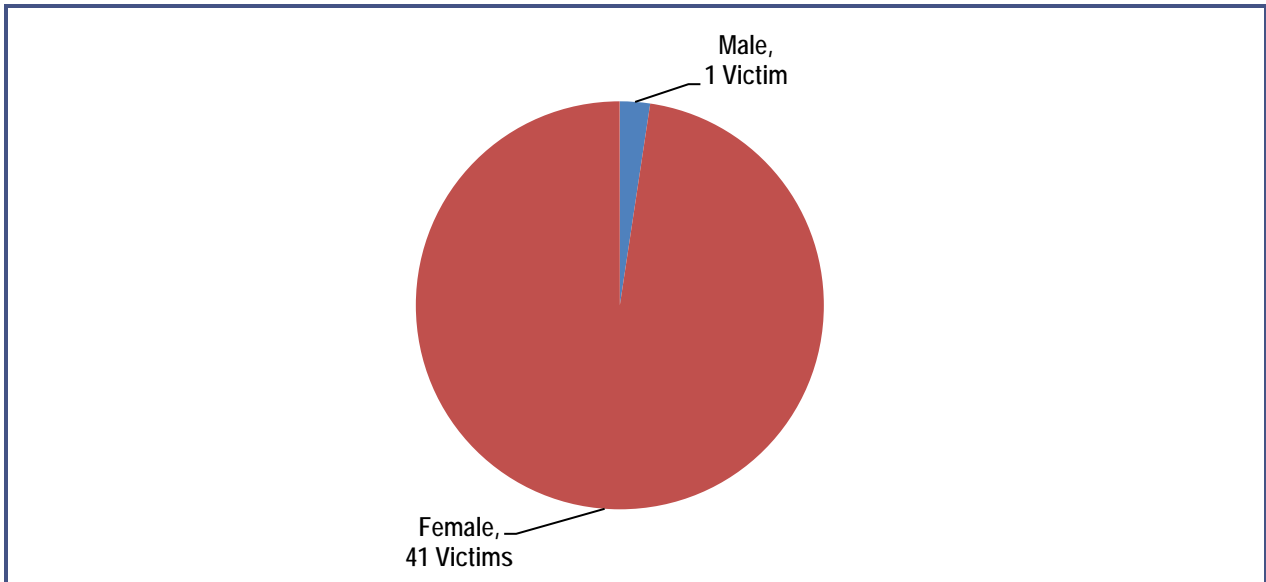
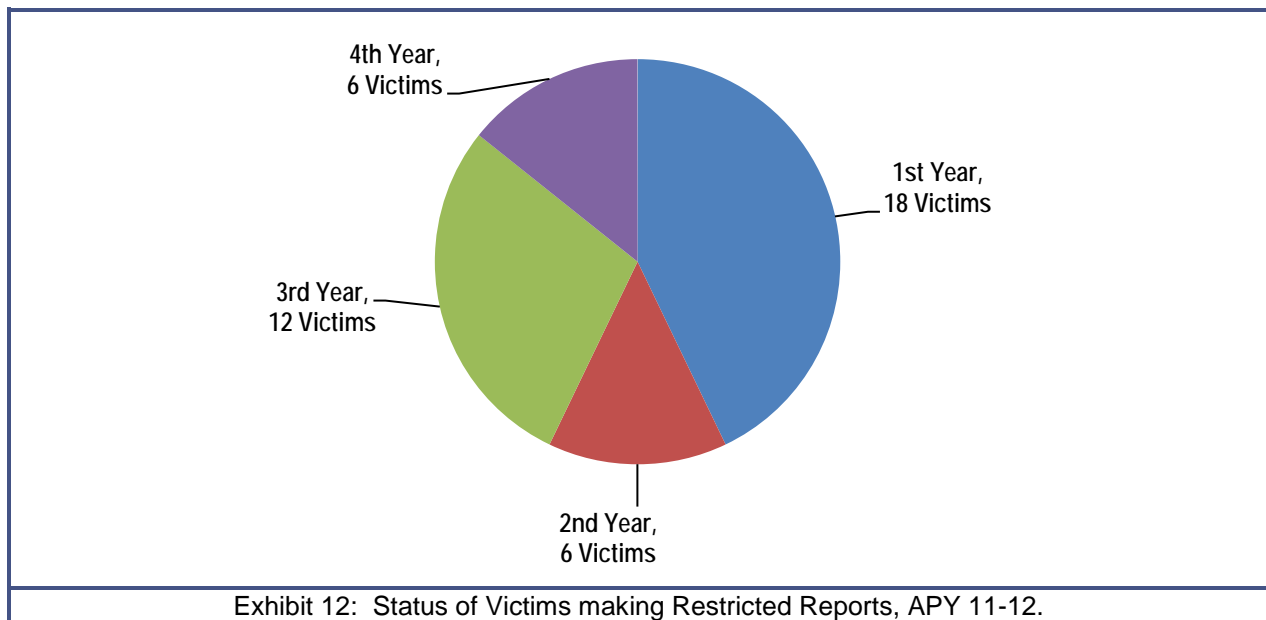


Exhibit 11: Gender of Victims making Restricted Reports, APY 11-12.





## SEXUAL HARASSMENT

Reporting of sexual harassment is approached differently than the reporting of sexual assault. In APY 11-12, there were two formal complaints of sexual harassment reported to the MSAs, both at USMA, and a total of 17 informal complaints of sexual harassment.

- No informal complaints at USMA
- Ten informal complaints at USNA
- Seven informal complaints at USAFA

## DATA REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011

- The number of sexual assaults committed against members of the Armed Forces that were reported to military officials during the year covered by the report: 32.
  - The number of the cases so reported that were substantiated: 16.
- The number of sexual assaults committed by members of the Armed Forces that were reported to military officials during the year covered by the report: 23.
  - The number of the cases so reported that were substantiated: 14.

Pursuant to Section 1631 of Public Law Number 111-383, the Ike Skelton National Defense Authorization Act for FY 2011, substantiated reports of sexual assault are unrestricted reports that have been investigated and found to have sufficient evidence to take some form of punitive, corrective or discharge action against an alleged offender. In situations where the Department lacks jurisdiction or the ability to take action, reports may still be substantiated when there is credible evidence that an offense occurred against a specific victim.

## ASSESSMENT OF MSA PROGRAMS

This document represents the sixth assessment of the sexual harassment and assault programs at the academies. This is the last MSA assessment to employ the 2009 *DoD-Wide SAPR Strategic Plan* with five priorities as a framework for evaluation. In future APY Reports, each MSA will organize its sexual harassment and assault program objectives and initiatives according to the Department's new *DoD-Wide SAPR Strategic Plan*, which is currently under development.

During the past few years, the MSAs have devoted considerable time and resources to design and implement policies, programs, and services to prevent and respond to sexual harassment and assault. Many of these programs extend well beyond simple activities that heighten awareness of the problem. While awareness programs serve an important purpose, effective prevention and response involve extensive education, training, organization, monitoring, and evaluation. Each academy has a well-organized response structure in which sexual harassment and assault learning objectives are incorporated into leadership and military training curricula. The MSAs have also employed many of the nation's leading experts to help them construct their programs and participate as guest lecturers.

However, standing in contrast to the MSAs' extensive programmatic achievements is the data from the *2012 SAGR Survey*. The overall results show a persistent elevation in the prevalence of unwanted sexual contact and sexual harassment reported on the survey. Because it is the Department's goal to reduce the prevalence of sexual assault, it is now time for the MSAs to enhance the prevention and evaluation components of their SAPR and POSH programs. Effective prevention may take many forms, but must entail a sustained effort with targeted messaging that is constantly refreshed. To determine if prevention work is effective, the MSAs should continue development of outcome-based evaluative processes and metrics for their sexual harassment and assault program objectives and initiatives, as previously recommended by the Department. Evaluative components should be integrated into every new or continuing objective, initiative, and intervention. These metrics can be simple or complex, but should evaluate progress in concept comprehension, skill acquisition, behavioral intention, or any other programmatic goal.

In the spring of 2013, representatives from SAPRO, DMEO and the military Services will conduct on-site assessments of the academies' SAPR and POSH programs. In these forthcoming visits, the Department intends to identify best practices at each academy and turn them into common practices across all three institutions. In addition, the Department will be considering new ways to further integrate SAPR and POSH programs into academy culture, including providing specialized SAPR training for the Training, Advising, and Counseling (or equivalent) Officers at each of the academies; providing enhanced training to seniors at each of the academies; and engaging and leveraging cadet influencers, including coaches, alumni associations, faculty, and sponsors as force multipliers.

The Department will also work with experts in academia and advocacy groups to evaluate existing data and identify additional pathways for intervention and program enhancement. Given that the academies have well-established response systems in place, SAPRO plans to shift the focus of its on-site assessment visits from policy compliance to helping each MSA progress toward achieving a culture free from sexual harassment and violence.

## CONCLUSION

Preventing sexual harassment and sexual assault at the MSAs, as well as across the Total Force, remains a priority for the Department. Throughout APY 11-12, the MSAs worked to address sexual harassment and assault by institutionalizing prevention, encouraging reporting, improving response, enhancing system accountability, and increasing SAPR understanding and awareness. We expect the academies to make further progress, complete outstanding action items and recommendations from previous APYs, and consider new solutions for addressing areas of concern identified through the *2012 SAGR Survey* during APY 12-13.

The Department and MSAs have taken steps to prevent and respond to sexual assault and harassment, but there is still much work to do. The Department is committed to ensuring the safety, dignity, and well-being of its future leaders at the MSAs and will continue to work towards achieving a climate free of sexual assault and harassment.

## APPENDICES

### APPENDIX A: ACRONYM DICTIONARY

AFOSI	Air Force Office of Special Investigations
APY	Academic Program Year
ART	Academy Response Team
BCT	Basic Cadet Training
CBT	Cadet Basic Training
CCASA	Colorado Coalition Against Sexual Assault
CID	Criminal Investigations Division
CMEQ	Command Management Equal Opportunity
CPD	Center for Personal Development
CWP	Culture and Climate
DEOCS	Defense Equal Opportunity Climate Survey
DEOMI	Defense Equal Opportunity Management Institute
DIA	Director of Intercollegiate Athletics
DMDC	Defense Manpower Data Center
DoD	Department of Defense
EO	Equal Opportunity
EOA	Equal Opportunity Advisor
GUIDE	Guidance, Understanding, Information, Direction, Education
LCSW	Licensed Clinical Social Worker
LEL	Leadership Ethics and Law
MDC	Midshipman Development Center
MOU	Memorandum of Understanding
MSA	Military Service Academy
NCIS	Naval Criminal Investigations Service
PEER	Personal Ethics and Education Representatives
PME <sub>2</sub>	Professional Military Ethic Education
POSH	Prevention and Sexual Harassment
PPC	Peak Performance Center
RAC	Resident Agent in Charge
SAAM	Sexual Assault Awareness Month
SAC	Special Agent in Charge
SACMG	Sexual Assault Case Management Group
SAGR	Service Academy Gender Relations
SAFE	Sexual Assault Forensic Exam
SANE	Sexual Assault Nurse Examiner
SAPR	Sexual Assault Prevention and Response
SAPRO	Sexual Assault Prevention and Response Office
SAR	Sexual Assault Response
SARB	Sexual Assault Review Board
SARC	Sexual Assault Response Coordinator
SART	Sexual Assault Response Team
SAS-HR	Special Assistant to the Superintendent for Human Relations
SCPME	Simon Center for Professional Military Ethic

SHAPE	Sexual Harassment and Assault Prevention Education
SHARP	Sexual Harassment/Assault Response and Prevention
SJA	Staff Judge Advocate
UCMJ	Uniform Code of Military Justice
USAFA	United States Air Force Academy
USCC	United States Corps of Cadets
USMA	United States Military Academy
USNA	United States Naval Academy
VA	Victim Advocate
VWL	Victim Witness Liaison
VWLO	Victim Witness Liaison Officer

First Class	(Fourth year at the Academy, i.e., Senior)
Second Class	(Third year at the Academy, i.e., Junior)
Third Class	(Second year at the Academy, i.e., Sophomore)
Fourth Class Cadet	(First year at the Academy, i.e., Freshman)

## APPENDIX B: LAW REQUESTING REPORT

### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007 PUBLIC LAW 109-364

#### SEC. 532. REVISION AND CLARIFICATION OF REQUIREMENTS WITH RESPECT TO SURVEYS AND REPORTS CONCERNING SEXUAL HARASSMENT AND SEXUAL VIOLENCE AT THE SERVICE ACADEMIES.

##### (a) Codification and Revision to Existing Requirement for Service Academy Policy on Sexual Harassment and Sexual Violence.--

(1) United states military academy.--Chapter 403 of title 10, United States Code, is amended by adding at the end the following new section:

##### Sec. 4361. Policy on sexual harassment and sexual violence

(a) Required Policy.--Under guidance prescribed by the Secretary of Defense, the Secretary of the Army shall direct the Superintendent of the Academy to prescribe a policy on sexual harassment and sexual violence applicable to the cadets and other personnel of the Academy.

(b) Matters To Be Specified in Policy.--The policy on sexual harassment and sexual violence prescribed under this section shall include specification of the following:

(1) Programs to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel.

(2) Procedures that a cadet should follow in the case of an occurrence of sexual harassment or sexual violence, including—

(A) if the cadet chooses to report an occurrence of sexual harassment or sexual violence, a specification of the person or persons to whom the alleged offense should be reported and the options for confidential reporting;

(B) a specification of any other person whom the victim should contact; and

(C) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault.

(3) Procedures for disciplinary action in cases of alleged criminal sexual assault involving a cadet or other Academy personnel.

(4) Any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual violence involving a cadet or other Academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcible or nonforcible.

(5) Required training on the policy for all cadets and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual violence involving Academy personnel.

(c) Annual Assessment.--(1) The Secretary of Defense, through the Secretary of the Army, shall direct the Superintendent to conduct at the Academy during each

Academy program year an assessment, to be administered by the Department of Defense, to determine the effectiveness of the policies, training, and procedures of the Academy with respect to sexual harassment and sexual violence involving Academy personnel.

(2) For the assessment at the Academy under paragraph (1) with respect to an Academy program year that begins in an odd-numbered calendar year, the Secretary of the Army shall conduct a survey, to be administered by the Department of Defense, of Academy personnel--

(A) to measure--

(i) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have been reported to officials of the Academy; and

(ii) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have not been reported to officials of the Academy; and

(B) to assess the perceptions of Academy personnel of--

(i) the policies, training, and procedures on sexual harassment and sexual violence involving Academy personnel;

(ii) the enforcement of such policies;

(iii) the incidence of sexual harassment and sexual violence involving Academy personnel; and

(iv) any other issues relating to sexual harassment and sexual violence involving Academy personnel.

**(d) Annual Report.**--(1) The Secretary of the Army shall direct the Superintendent of the Academy to submit to the Secretary a report on sexual harassment and sexual violence involving cadets or other personnel at the Academy for each Academy program year.

(2) Each report under paragraph (1) shall include, for the Academy program year covered by the report, the following:

(A) The number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials during the program year and, of those reported cases, the number that have been substantiated.

(B) The policies, procedures, and processes implemented by the Secretary of the Army and the leadership of the Academy in response to sexual harassment and sexual violence involving cadets or other Academy personnel during the program year.

(C) A plan for the actions that are to be taken in the following Academy program year regarding prevention of and response to sexual harassment and sexual violence involving cadets or other Academy personnel.

(3) Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).

(4)(A) The Secretary of the Army shall transmit to the Secretary of Defense, and to the Board of Visitors of the Academy, each report received by the Secretary under this subsection, together with the Secretary's comments on the report.

(B) The Secretary of Defense shall transmit each such report, together with the Secretary's comments on the report, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

**(2) United States Naval Academy.**--Chapter 603 of title 10, United States Code, is amended by adding at the end the following new section:

**Sec. 6980. Policy on sexual harassment and sexual violence**

**(a) Required Policy.**--Under guidance prescribed by the Secretary of Defense, the Secretary of the Navy shall direct the Superintendent of the Naval Academy to prescribe a policy on sexual harassment and sexual violence applicable to the midshipmen and other personnel of the Naval Academy.

(b) Matters To Be Specified in Policy.--The policy on sexual harassment and sexual violence prescribed under this section shall include specification of the following:

(1) Programs to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve midshipmen or other Academy personnel.

(2) Procedures that a midshipman should follow in the case of an occurrence of sexual harassment or sexual violence, including--

(A) if the midshipman chooses to report an occurrence of sexual harassment or sexual violence, a specification of the person or persons to whom the alleged offense should be reported and the options for confidential reporting;

(B) a specification of any other person whom the victim should contact; and

(C) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault.

(3) Procedures for disciplinary action in cases of alleged criminal sexual assault involving a midshipman or other Academy personnel.

(4) Any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual violence involving a midshipman or other Academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcible or nonforcible.

(5) Required training on the policy for all midshipmen and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual violence involving Academy personnel.

**(c) Annual Assessment.**--(1) The Secretary of Defense, through the Secretary of the Navy, shall direct the Superintendent to conduct at the Academy during each Academy program year an assessment, to be administered by the Department of Defense, to determine the effectiveness of the policies, training, and procedures of the



Academy with respect to sexual harassment and sexual violence involving Academy personnel.

(2) For the assessment at the Academy under paragraph (1) with respect to an Academy program year that begins in an odd-numbered calendar year, the Secretary of the Navy shall conduct a survey, to be administered by the Department of Defense, of Academy personnel--

(A) to measure--

(i) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have been reported to officials of the Academy; and

(ii) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have not been reported to officials of the Academy; and

(B) to assess the perceptions of Academy personnel of--

(i) the policies, training, and procedures on sexual harassment and sexual violence involving Academy personnel;

(ii) the enforcement of such policies;

(iii) the incidence of sexual harassment and sexual violence involving Academy personnel; and

(iv) any other issues relating to sexual harassment and sexual violence involving Academy personnel.

**(d) Annual Report.**--(1) The Secretary of the Navy shall direct the Superintendent of the Naval Academy to submit to the Secretary a report on sexual harassment and sexual violence involving midshipmen or other personnel at the Academy for each Academy program year.

(2) Each report under paragraph (1) shall include, for the Academy program year covered by the report, the following:

(A) The number of sexual assaults, rapes, and other sexual offenses involving midshipmen or other Academy personnel that have been reported to Naval Academy officials during the program year and, of those reported cases, the number that have been substantiated.

(B) The policies, procedures, and processes implemented by the Secretary of the Navy and the leadership of the Naval Academy in response to sexual harassment and sexual violence involving midshipmen or other Academy personnel during the program year.

(C) A plan for the actions that are to be taken in the following Academy program year regarding prevention of and response to sexual harassment and sexual violence involving midshipmen or other Academy personnel.

(3) Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).

(4)(A) The Secretary of the Navy shall transmit to the Secretary of Defense, and to the Board of Visitors of the Naval Academy, each report received by the Secretary under this subsection, together with the Secretary's comments on the report.

(B) The Secretary of Defense shall transmit each such report, together with the

Secretary's comments on the report, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

**(3) United States Air Force Academy.**--Chapter 903 of title 10, United States Code, is amended by adding at the end the following new section:

**Sec. 9361. Policy on sexual harassment and sexual violence**

(a) Required Policy.--Under guidance prescribed by the Secretary of Defense, the Secretary of the Air Force shall direct the Superintendent of the Academy to prescribe a policy on sexual harassment and sexual violence applicable to the cadets and other personnel of the Academy.

(b) Matters to Be Specified in Policy.--The policy on sexual harassment and sexual violence prescribed under this section shall include specification of the following:

(1) Programs to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel.

(2) Procedures that a cadet should follow in the case of an occurrence of sexual harassment or sexual violence, including--

(A) if the cadet chooses to report an occurrence of sexual harassment or sexual violence, a specification of the person or persons to whom the alleged offense should be reported and the options for confidential reporting;

(B) a specification of any other person whom the victim should contact; and

(C) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault.

(3) Procedures for disciplinary action in cases of alleged criminal sexual assault involving a cadet or other Academy personnel.

(4) Any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual violence involving a cadet or other Academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcible or nonforcible.

(5) Required training on the policy for all cadets and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual violence involving Academy personnel.

**(c) Annual Assessment.**--(1) The Secretary of Defense, through the Secretary of the Air Force, shall direct the Superintendent to conduct at the Academy during each Academy program year an assessment, to be administered by the Department of Defense, to determine the effectiveness of the policies, training, and procedures of the Academy with respect to sexual harassment and sexual violence involving Academy personnel.

(2) For the assessment at the Academy under paragraph (1) with respect to an Academy program year that begins in an odd-numbered calendar year, the Secretary of

the Air Force shall conduct a survey, to be administered by the Department of Defense, of Academy personnel--

(A) to measure--

(i) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have been reported to officials of the Academy; and

(ii) the incidence, during that program year, of sexual harassment and sexual violence events, on or off the Academy reservation, that have not been reported to officials of the Academy; and

(B) to assess the perceptions of Academy personnel of--

(i) the policies, training, and procedures on sexual harassment and sexual violence involving Academy personnel;

(ii) the enforcement of such policies;

(iii) the incidence of sexual harassment and sexual violence involving Academy personnel; and

(iv) any other issues relating to sexual harassment and sexual violence involving Academy personnel.

**(d) Annual Report.**--(1) The Secretary of the Air Force shall direct the Superintendent of the Academy to submit to the Secretary a report on sexual harassment and sexual violence involving cadets or other personnel at the Academy for each Academy program year.

(2) Each report under paragraph (1) shall include, for the Academy program year covered by the report, the following:

(A) The number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials during the program year and, of those reported cases, the number that have been substantiated.

(B) The policies, procedures, and processes implemented by the Secretary of the Air Force and the leadership of the Academy in response to sexual harassment and sexual violence involving cadets or other Academy personnel during the program year.

(C) A plan for the actions that are to be taken in the following Academy program year regarding prevention of and response to sexual harassment and sexual violence involving cadets or other Academy personnel.

(3) Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).

(4)(A) The Secretary of the Air Force shall transmit to the Secretary of Defense, and to the Board of Visitors of the Academy, each report received by the Secretary under this subsection, together with the Secretary's comments on the report.

(B) The Secretary of Defense shall transmit each such report, together with the Secretary's comments on the report, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

**(b) Further Information From Cadets and Midshipmen at the Service Academies on Sexual Assault and Sexual Harassment Issues.--**

(1) Use of focus groups for years when survey not required.--In any year in which the Secretary of a military department is not required by law to conduct a survey at the service Academy under the Secretary's jurisdiction on matters relating to sexual assault and sexual harassment issues at that Academy, the Secretary shall provide for focus groups to be conducted at that Academy for the purposes of ascertaining information relating to sexual assault and sexual harassment issues at that Academy.

(2) Inclusion in report.--Information ascertained from a focus group conducted pursuant to paragraph (1) shall be included in the Secretary's annual report to Congress on sexual harassment and sexual violence at the service academies.

(3) Service academies.--For purposes of this subsection, the term service Academy means the following:

- (A) The United States Military Academy.
- (B) The United States Naval Academy.
- (C) The United States Air Force Academy.

(c) Repeal of Prior Law.--Section 527 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1469; 10 U.S.C. 4331 note) is repealed.

(d) Clerical Amendments.--

(1) The table of sections at the beginning of chapter 403 of title 10, United States Code, is amended by adding at the end the following new item:

4361. Policy on sexual harassment and sexual violence.

(2) The table of sections at the beginning of chapter 603 of such title is amended by adding at the end the following new item:

6980. Policy on sexual harassment and sexual violence.

(3) The table of sections at the beginning of chapter 903 of such title is amended by adding at the end the following new item:

9361. Policy on sexual harassment and sexual violence.

## APPENDIX C: DATA MATRICES

### Summary of Sexual Assault Reports

ACADEMIC PROGRAM YEAR 2011 - 2012 SUMMARY OF UNRESTRICTED SEXUAL ASSAULT REPORTS INVOLVING CADETS/MIDSHIPMEN	APY11-12 Totals
<b>Total Cadet/Midshipman victims in all investigations closed in APY11-12*</b>	<b>32</b>
<b>Cadet/Midshipman victims whose reports of sexual assault could be substantiated*</b>	<b>16</b>
<b>Total Cadet/Midshipman subjects in all investigations closed in APY11-12</b>	<b>23</b>
<b>Cadet/Midshipman subjects against whom sexual assault reports could be substantiated</b>	<b>14</b>
<b>Sexual Assault Investigations Involving Cadet/Midshipman Opened and Completed in APY11-12</b>	<b>APY11-12 Totals</b>
# Cadet/Midshipman victims identified in investigations initiated and closed in APY11-12*	16
# Cadet/Midshipman victims whose reports of sexual assault could be substantiated*	9
# Cadet/Midshipman subjects identified in investigations initiated and closed in APY11-12	13
# Cadet/Midshipman subjects against whom sexual assault reports could be substantiated	8
<b>Sexual Assault Investigations Involving Cadet/Midshipman Opened Prior to APY11-12 and Completed in APY11-12</b>	<b>APY11-12 Totals</b>
# Cadet/Midshipman victims identified in Pre-APY11-12 investigations closed in APY11-12*	16
# Cadet/Midshipman victims whose reports of sexual assault could be substantiated*	7
# Cadet/Midshipman subjects identified in Pre-APY11-12 investigations closed in APY11-12	10
# Cadet/Midshipman subjects against whom sexual assault reports could be substantiated	6
*Does not include victims from Restricted Reports, per mandate in PL 111-383	
<b>ACADEMIC PROGRAM YEAR 2011 - 2012 SUMMARY OF RESTRICTED SEXUAL ASSAULT REPORTS INVOLVING CADETS/MIDSHIPMEN</b>	<b>APY11-12 Totals</b>
# Cadet/Midshipman Victims initially making Restricted Reports	42
# Cadet/Midshipman Victims who converted from Restricted Report to Unrestricted Report in the current APY	4
<b># Cadet/Midshipman Victim Reports Remaining Restricted</b>	<b>38</b>

## Unrestricted Sexual Assault Reports

CONSOLIDATED MILITARY SERVICE ACADEMY APY11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS	
<b>A. APY11-12 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipmen.</b> Note: The data about Unrestricted Reports in Sections A and B below is raw, uninvestigated information about allegations received during APY11-12. These Reports may not be fully investigated by the end of the Academic Program year.	<b>APY11-12 Totals</b>
<b># VICTIMS in APY11-12 Unrestricted Reports</b>	<b>41</b>
# Cadet/Midshipman victims	33
# Non-Cadet/Midshipman victims	8
<b># Unrestricted Reports in the following categories</b>	<b>42</b>
# Cadet/Midshipman on Cadet/Midshipman	20
# Cadet/Midshipman on Non-Cadet/Midshipman	9
# Non-Cadet/Midshipman on Cadet/Midshipman	8
# Unidentified Subject on Cadet/Midshipman	5
<b># Unrestricted Reports of sexual assault occurring</b>	<b>42</b>
# On Academy Grounds	14
# Off Academy Grounds	27
# Unidentified location	1
<b># Investigations Initiated (From APY11-12 Unrestricted Reports)</b>	<b>42</b>
# Investigations pending completion as of 31 May 12	19
# Completed Investigations as of 31 May 12	23
<b># All Restricted Reports received in APY11-12</b>	<b>42</b>
# Converted from Restricted Report to Unrestricted Report*	4
<b># APY11-12 RESTRICTED REPORTS REMAINING RESTRICTED</b>	<b>38</b>
<b>B. DETAILS OF UNRESTRICTED REPORTS RECEIVED IN APY11-12</b>	<b>APY11-12 Totals</b>
<b>Length of time between sexual assault and Unrestricted Report</b>	<b>42</b>
# Reports made within 3 days of sexual assault	9
# Reports made within 4 to 30 days after sexual assault	4
# Reports made within 31 to 365 days after sexual assault	15
# Reports made longer than 365 days after sexual assault	14
# Unknown	0
<b>Time of sexual assault</b>	<b>42</b>
# Midnight to 6 am	13
# 6 am to 6 pm	3
# 6 pm to midnight	13
# Unknown	13
<b>Day of sexual assault</b>	<b>42</b>
# Sunday	3
# Monday	3
# Tuesday	2
# Wednesday	3
# Thursday	6
# Friday	6
# Saturday	16
# Unknown	3
<b>C. SUMMARY OF ALL INVESTIGATIONS OF UNRESTRICTED REPORTS COMPLETED IN APY11-12</b>	<b>APY11-12 Totals</b>
<b># Total Investigations completed during APY11-12</b>	<b>40</b>
# Investigations opened in APY11-12 and completed in APY11-12	23
# Of these investigations with more than one victim, more than one subject, or both	0
# Investigations opened prior to APY11-12 and completed in APY11-12	17
# Of these investigations with more than one victim, more than one subject, or both	2
<b># SUBJECTS in all investigations completed during APY11-12</b>	<b>39</b>
# Cadet/Midshipman subjects in completed investigations	28
# Your Cadet/Midshipman subjects investigated by your Service	28
# Other Service Cadet/Midshipman subjects investigated by your Service	0
# Non-Cadet/Midshipman subjects in your Service's investigations	6
# Unidentified subjects in your Service's investigations	5
<b># VICTIMS in all investigations completed during APY11-12</b>	<b>39</b>
# Cadet/Midshipman victims	35
# Cadet/Midshipman victims in own Service's investigations	35
# Other Service Cadet/Midshipman victims in your Service's investigations	0
# Non-Cadet/Midshipman victims in your Service's investigations	4
# Unidentified victims in your Service's investigations	0

ACADEMIC PROGRAM YEAR 2011-2012  
REPORT ON SEXUAL HARASSMENT AND VIOLENCE AT THE MILITARY SERVICE ACADEMIES

**Unrestricted Sexual Assault Reports (Continued)**

D. FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED APY11-12 INVESTIGATIONS	APY11-12 Totals	D1. ASSOCIATED VICTIM DATA FOR COMPLETED APY11-12 INVESTIGATIONS	APY11-12 Totals
# Investigations opened in APY11-12 and completed in APY11-12	23	# VICTIMS in investigations opened in APY11-12 and completed in APY11-12	22
# SUBJECTS in investigations opened in APY11-12 and completed in APY11-12	21	# Cadet/Midshipman Victims in investigations opened and completed in APY11-12	19
# Cadet/Midshipman Subjects in investigations opened and completed in APY11-12	17	# Total Victims associated with MCIO unfounded allegations	0
# Total Subjects with allegations unfounded by a Military Criminal Investigative Organization	0	# Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Cadet/Midshipman Subjects with allegations unfounded by MCIO	0	# Non-Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Non-Cadet/Midshipman Subjects with allegations unfounded by MCIO	0		
# Total Subjects Outside DoD Prosecutive Authority	3	# Cadet/Midshipman Victims in substantiated Unknown Offender Reports	2
# Unknown Offenders	3	# Cadet/Midshipman Victims in remaining Unknown Offender Reports	1
		# Cadet/Midshipman Victims in substantiated Civilian/Foreign National Subject Reports	0
# US Civilians or Foreign National Subjects not Subject to the UCMJ	0	# Cadet/Midshipman Victims in remaining Civilian/Foreign National Subject Reports	0
# Cadet/Midshipman Prosecuted by a Civilian or Foreign Authority	0	# Cadet/Midshipman Victims in substantiated reports against a Cadet/Midshipman who is being Prosecuted by a Civilian/Foreign Authority	0
# Subjects who died or deserted	0	# Cadet/Midshipman Victims in substantiated reports with a deceased or deserted subject	0
		# Cadet/Midshipman Victims in remaining reports with a deceased or deserted subject	0
# Total Command Action Precluded or Declined for Sexual Assault	6	# Cadet/Midshipman victims who declined to participate in the military justice action	2
# Cadet/Midshipman Subjects where victim declined to participate in the military justice action	2	# Cadet/Midshipman victims in investigations having insufficient evidence to prosecute	3
# Cadet/Midshipman Subjects whose investigations had insufficient evidence to prosecute	3	# Cadet/Midshipman victims whose cases involved expired statute of limitations	0
# Cadet/Midshipman Subjects whose cases involved expired statute of limitations	0	# Cadet/Midshipman victims whose allegations were unfounded by Command	1
# Cadet/Midshipman Subjects with allegations that were unfounded by Command	1	# Cadet/Midshipman victims who died before completion of the military justice action	0
# Cadet/Midshipman Subjects with victims who died before completion of military justice action	0	# Cadet/Midshipman Victims still awaiting command action on a subject as of 31 May 12	3
# Subjects still awaiting command action as of 31 May 12	4		
# Subjects for whom command action was completed as of 31 May 12	8	# APY11-12 Cadet/Midshipman Victims in cases where evidence supported Command	7
# APY11-12 Cadet/Midshipman Subjects where evidence supported Command Action	8	# Cadet/Midshipman Victims involved with Court martial preferals (Initiations) against subject	4
# Cadet/Midshipman Subjects: Courts-Martial charge preferred (Initiated)	4	# Cadet/Midshipman Victims involved with Nonjudicial punishments (Article 15) against subject	0
# Cadet/Midshipman Subjects: Nonjudicial punishments (Article 15 UCMJ)	0	# Cadet/Midshipman Victims involved with Administrative discharges against subject	1
# Cadet/Midshipman Subjects: Administrative discharges	1	# Cadet/Midshipman Victims involved with Other administrative actions against subject	0
# Cadet/Midshipman Subjects: Other adverse administrative actions	0	# Cadet/Midshipman Victims involved with Court martial preferals for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with Nonjudicial punishment for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Non-judicial punishment for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with administrative discharges for non-SA offense	1
# Cadet/Midshipman Subjects: Administrative discharges for non-sexual assault offense	1	# Cadet/Midshipman Victims involved with Other administrative actions for non-SA offense	1
# Cadet/Midshipman Subjects: Other adverse administrative actions for non-sexual assault offense	3		
<b>E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-APY11-12 INVESTIGATIONS</b>	<b>APY11-12 Totals</b>	<b>E1. ASSOCIATED VICTIM DATA FOR COMPLETED Pre-APY11-12 INVESTIGATIONS</b>	<b>APY11-12 Totals</b>
(Prior year investigations completed in APY11-12)			
# Total Number of Pre-APY11-12 Investigations pending completion at the end of APY10-11 (31-May)	17	# VICTIMS in investigations opened prior to APY11-12 and completed in APY11-12	17
# Pre-APY11-12 Investigations STILL PENDING completion as of 31-May-12	0	# Cadet/Midshipman Victims in investigations opened prior to APY11-12 and completed in APY11-12	16
# Pre-APY11-12 Investigations completed of 31-May-12	17	# Total Pre-APY11-12 Victims associated with MCIO unfounded allegations	1
# SUBJECTS in Pre-APY11-12 investigations completed by 31-May-12	18	# Cadet/Midshipman Victims involved in MCIO unfounded allegations	1
# Cadet/Midshipman Subjects in Pre-APY11-12 investigations completed in APY11-12	11	# Non-Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Total Pre-APY11-12 Subjects with allegations unfounded by MCIO	1	# Cadet/Midshipman Victims in substantiated Unknown Offender Reports	1
# Cadet/Midshipman Subjects with allegations unfounded by MCIO	1	# Cadet/Midshipman Victims in remaining Unknown Offender Reports	1
# Non-Cadet/Midshipman Subjects with allegations unfounded by MCIO	0	# Cadet/Midshipman Victims in substantiated Civilian/Foreign National Subject Reports	1
# Total Pre-APY11-12 Subjects Outside DoD Prosecutive Authority	3	# Cadet/Midshipman Victims in remaining Civilian/Foreign National Subject Reports	0
# Unknown Offenders	2	# Cadet/Midshipman Victims in substantiated reports against a Cadet/Midshipman who is being Prosecuted by a Civilian/Foreign Authority	0
# US Civilians or Foreign National Subjects not Subject to the UCMJ	1	# Cadet/Midshipman Victims in substantiated reports with a deceased or deserted subject	0
# Cadet/Midshipman Prosecuted by a Civilian or Foreign Authority	0	# Cadet/Midshipman Victims in remaining reports with a deceased or deserted subject	0
# Subjects who died or deserted	0	# Cadet/Midshipman victims who declined to participate in the military justice action	2
		# Cadet/Midshipman victims in investigations having insufficient evidence to prosecute	3
# Total Command Action Precluded or Declined for Sexual Assault	7	# Cadet/Midshipman victims whose cases involved expired statute of limitations	0
# Cadet/Midshipman Subjects where victim declined to participate in the military justice action	2	# Cadet/Midshipman victims whose allegations were unfounded by Command	2
# Cadet/Midshipman Subjects whose investigations had insufficient evidence to prosecute	3	# Cadet/Midshipman victims who died before completion of the military justice action	0
# Cadet/Midshipman Subjects whose cases involved expired statute of limitations	0	# Cadet/Midshipman Victims still awaiting command action on a subject as of 31 May 12	0
# Cadet/Midshipman Subjects with allegations that were unfounded by Command	2		
# Cadet/Midshipman Subjects with victims who died before completion of military justice action	1	# Pre-APY11-12 Cadet/Midshipman Victims in cases where evidence supported Command Action	5
# Subjects still awaiting command action as of 31-May-12	0	# Cadet/Midshipman Victims involved with Court martial preferals (Initiations) against subject	3
# Subjects for whom command action was completed as of 31-May-12	6	# Cadet/Midshipman Victims involved with Nonjudicial punishments (Article 15) against subject	1
# Pre-APY11-12 Cadet/Midshipman Subjects where evidence supported Command Action	6	# Cadet/Midshipman Victims involved with Administrative discharges against subject	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred (Initiated)	4	# Cadet/Midshipman Victims involved with Other administrative actions against subject	1
# Cadet/Midshipman Subjects: Nonjudicial punishments (Article 15 UCMJ)	1	# Cadet/Midshipman Victims involved with Court martial preferals for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Administrative discharges	0	# Cadet/Midshipman Victims involved with Nonjudicial punishment for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Other adverse administrative actions	1	# Cadet/Midshipman Victims involved with administrative discharges for non-SA offense	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with Other administrative actions for non-SA offense	0
# Cadet/Midshipman Subjects: Non-judicial punishment for non-sexual assault offense	0		
# Cadet/Midshipman Subjects: Administrative discharges for non-sexual assault offense	0		
# Cadet/Midshipman Subjects: Other adverse administrative actions for non-sexual assault offense	0		

\*Restricted Reports that convert to Unrestricted Reports are counted with the total number of Unrestricted Reports









## Restricted Sexual Assault Reports

CONSOLIDATED MILITARY SERVICE ACADEMY APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT	
<b>A. APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)</b>	<b>APY11-12 TOTALS</b>
<b># TOTAL victims initially making Restricted Reports</b>	<b>42</b>
# Cadet/Midshipman victims making Restricted Reports	42
# Non-Cadet/Midshipman, Adult Dependent and Service Member Victims making Restricted Report involving a Cadet/Midshipman Subject	0
<b># Total victims who converted from Restricted Report to Unrestricted Report in the current APY*</b>	<b>4</b>
# Cadet/Midshipman victims who converted from Restricted Report to Unrestricted Report in current APY	4
# Non-Cadet/Midshipman, Adult Dependent and Service Member Victims who converted from Restricted Report to Unrestricted Report in current APY	0
<b># TOTAL victim reports remaining Restricted</b>	<b>38</b>
# Cadet/Midshipman victim reports remaining Restricted	38
# Non-Cadet/Midshipman, Adult Dependent and Service Member Victim reports remaining Restricted	0
<b># Reported sexual assaults involving Cadet/Midshipman in the following categories</b>	<b>42</b>
# Cadet/Midshipman on Cadet/Midshipman	24
# Non-Cadet/Midshipman on Cadet/Midshipman	18
# Cadet/Midshipman on Non-Cadet/Midshipman (entitled to a RR by DoD Policy)	0
# Unidentified subject on Cadet/Midshipman	0
<b>B. INCIDENT DETAILS</b>	<b>APY11-12 TOTALS</b>
<b># Reported sexual assaults occurring</b>	<b>42</b>
# On Academy Grounds	11
# Off Academy Grounds	31
# Unidentified location	0
<b>Length of time between sexual assault and Restricted Report</b>	<b>42</b>
# Reports made within 3 days of sexual assault	12
# Reports made within 4 to 30 days after sexual assault	4
# Reports made within 31 to 365 days after sexual assault	9
# Reports made longer than 365 days after sexual assault	17
# Unknown	0
<b>Time of sexual assault incident</b>	<b>42</b>
# Midnight to 6 am	7
# 6 am to 6 pm	4
# 6 pm to midnight	26
# Unknown	5
<b>Day of sexual assault incident</b>	<b>42</b>
# Sunday	1
# Monday	8
# Tuesday	0
# Wednesday	1
# Thursday	1
# Friday	1
# Saturday	7
# Unknown	23

### Restricted Sexual Assault Reports (Continued)

C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION	APY11-12 TOTALS
<b># Service Member VICTIMS</b>	<b>42</b>
# Army victims	3
# Navy victims	6
# Marines victims	0
# Air Force victims	33
# Coast Guard	0
# Unknown	0
D. DEMOGRAPHICS FOR APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT	APY11-12 TOTALS
<b>Gender of VICTIMS</b>	<b>42</b>
# Male	1
# Female	41
# Unknown	0
<b>Age of VICTIMS</b>	<b>42</b>
# 16-19	23
# 20-24	19
# 25-34	0
# 35-49	0
# 50-64	0
# 65 and older	0
# Unknown	0
<b>Grade of Service Member VICTIMS Grade</b>	<b>42</b>
# 1st Year	18
# 2nd Year	6
# 3rd Year	12
# 4th Year	6
# Prep School Student	0
# Service Member	0
# Unknown	0
<b>Status of Service Member VICTIMS</b>	<b>42</b>
# Active Duty	0
# Reserve (Activated)	0
# National Guard (Activated - Title 10)	0
# Cadet/Midshipman	42
# Academy Prep School Student	0
# Unknown	0
<b>VICTIM Type</b>	<b>42</b>
# Service Member	42
# DoD Civilian	0
# DoD Contractor	0
# Other US Government Civilian	0
# US Civilian (Service Member Dependent Over Age 18)	0
# Foreign national	0
# Foreign military	0
# Unknown	0
E. RESTRICTED REPORTING FOR A SEXUAL ASSAULT THAT OCCURRED PRIOR TO JOINING SERVICE	APY11-12 TOTALS
<b># Cadet/Midshipman VICTIMS making a Restricted Report for Incidents Occurring Prior to Military Service</b>	<b>12</b>
# Cadet/Midshipman Making A Restricted Report for an Incident that Occurred Prior to Age 18	11
# Cadet/Midshipman Making a Restricted Report for an Incident that Occurred After Age 18	1
# Cadet/Midshipman Choosing Not to Specify	0
F. RESTRICTED REPORTS CONVERSION DATA (DSAID USE ONLY)	APY11-12 TOTALS
Mean # of Days Taken to Change to Unrestricted	0
Standard Deviation of the Mean For Days Taken to Change to Unrestricted	0
Mode # of Days Taken to Change to Unrestricted	0
* The Restricted Reports are reports that converted to Unrestricted Reports are counted in the total number of Unrestricted Reports listed in Worksheet 1a, Section A.	

### Victim Services

CONSOLIDATED MILITARY SERVICE ACADEMY APY11-12 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made.</i>	
<b>A. SUPPORT SERVICE REFERRALS TO CADET/MIDSHIPMAN AND SERVICE MEMBER VICTIMS FROM UNRESTRICTED REPORTS:</b>	<b>APY11-12 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY Resources (Referred by DoD)</b>	80
# Medical	1
# Mental Health	20
# Legal	13
# Chaplain/Spiritual Support	16
# Victim Advocate/Uniformed Victim Advocate	33
# DoD Safe Helpline	0
# Other	0
<b># CIVILIAN Resources (Referred by DoD)</b>	2
# Medical	1
# Mental Health	1
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate	0
# Other	0
<b># Cases where SAFEs were conducted</b>	0
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	0
<b># Service Member victims making an Unrestricted Report for an incident that occurred prior to military service</b>	1
<b>B. APY11-12 MILITARY PROTECTIVE ORDERS (MPO)* AND TRANSFERS - UNRESTRICTED REPORTS</b>	<b>APY11-12 TOTALS</b>
<b># Military Protective Orders issued during APY11-12</b>	7
<b># Reported MPO Violations in APY11-12</b>	2
# Reported MPO Violations by Subjects	1
# Reported MPO Violations by Victims of sexual assault	0
# Reported MPO Violations by Both	1
<i>*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be used when there is a possibility that the victim</i>	
<b># Unit/ duty transfer requests by Cadet/Midshipman victims of sexual assault</b>	3
# Unit/ duty transfer requests by Cadet/Midshipman victims Denied	0
<b># Installation transfer requests by Cadet/Midshipman victims of sexual assault</b>	0
# Installation transfer requests by Cadet/Midshipman victims Denied	0
<b>C. SUPPORT SERVICE REFERRALS FOR CADET/MIDSHIPMAN AND SERVICE MEMBER VICTIMS IN RESTRICTED REPORTS:</b>	<b>APY11-12 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY Resources (Referred by DoD)</b>	80
# Medical	5
# Mental Health	38
# Legal	4
# Chaplain/Spiritual Support	10
# Victim Advocate/Uniformed Victim Advocate	31
# DoD Safe Helpline	0
# Other	0
<b># CIVILIAN Resources (Referred by DoD)</b>	2
# Medical	1
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	1
# Victim Advocate	0
# Other	0
<b># Cases where SAFEs were conducted</b>	0
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	0
<b>CIVILIAN DATA</b>	
<b>D. SEXUAL ASSAULT SERVICES TO NON-SERVICE MEMBERS who were victimized by Cadet/Midshipman Subjects (DOD CIVILIANS, DEPENDENTS, CONTRACTORS, ETC.)</b>	<b>APY11-12 TOTALS</b>
<b># Non-Service Members in a Service Member's Official Relationship</b>	0
<b># Non-Service Members in a Non-Service Member's Official Relationship</b>	0
<b>Gender of Non-Service Member Assisted</b>	0
# Male	0
# Female	0
# Unknown	0
<b>Age of Non-Service Member Assisted</b>	0
# 18-19	0
# 20-24	0
# 25-29	0
# 30-39	0
# 40-49	0
# 50-64	0
# 65 and older	0
# Unknown	0
<b>Non-Service Member Type</b>	0
# Non-Civilian	0
# DoD Contractor	0
# Other US Government Civilian	0
# US Civilian	0
# Foreign National	0
# Foreign Military	0
# Unknown	0
<b># Support service referrals for Non-Service Members in the following categories</b>	
<b># MILITARY Resources (Referred by DoD)</b>	3
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Victim Advocate/Uniformed Victim Advocate	3
# DoD Safe Helpline	0
# Other	0
<b># CIVILIAN Resources (Referred by DoD)</b>	2
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate	0
# Other	0
<b># Cases where SAFEs were conducted</b>	0
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	0

Consolidated Sexual Assault Synopses

CONSOLIDATED MILITARY SERVICE ACADEMY ARTYIC SEXUAL ASSAULT CASE SYNOPSIS																				
No.	Offense Investigated	Location	Subject Grade	Subject Gender	Victim Grade	Victim Gender	Quarter Disposition Completed	Case Disposition	Court Referral/IS Address	Confinement	Fines and Penalties	Reduction in Rank	Court-Mandated Discharge	Restriction	Hardship	Conditional Discharge	Adverse Administrative Action	Administrative Discharge Type	Case Synopsis	
USMA1	Rape	Off Academy Grounds	1st Year	Male	1st Year	Female	Q3	Court/Mental Charge (Mental)											Court martial charges preferred that pending October 2012.	
USMA2	Aggravated Sexual Assault	Off Academy Grounds	4th Year	Male	1st Year	Female	Q4	Probable Cause for Court-Mental Charge (Mental)	YES									General	In January, the subject, a cadet, had sex with a victim in her room following consensual (oral) oral contact. The victim reported sexual assault, which the victim testified. The subject provided to evidence in sexual assault. Subject was suspended from USMA until date: 13 September 2012.	
USMA3	Rape	Off Academy Grounds	Civilian	Male	4th Year	Female	Q3	Unknown Subject											Subject reported the presence of victim was not returning to her room after a consensual sexual encounter with her partner. She reported that another female cadet was in her room at the time of the encounter. She reported that she had been drinking with the victim. She eventually had sex with the victim and she reported that she was not returned to her room. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room.	
USMA4	Wrongful Sexual Contact	On Academy Grounds	1st Year	Male	1st Year	Female	Q4	Administrative Discharge										General	Subject reported the presence of victim was not returning to her room after a consensual sexual encounter with her partner. She reported that another female cadet was in her room at the time of the encounter. She reported that she had been drinking with the victim. She eventually had sex with the victim and she reported that she was not returned to her room. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room.	
USMA5	Rape	On Academy Grounds	3rd Year	Male	3rd Year	Female	Q4	Court/Mental Charge (Mental)											Court martial charges preferred pending Article 23 hearing.	
USMA6	Rape	On Academy Grounds	2nd Year	Male	2nd Year	Female	Q4	harassment Evidence of Any Offense										General	Victim alleged that after chatting with subject on Facebook, the two decided to have sex. Victim went to subject's room 230, between 8:00 and 9:00 p.m. on 13 September 2011. The subject showed up at victim's room, and she let him in. After talking about their day, victim stated that the subject began to touch her. Victim reported that the subject touched her breasts, buttocks, and groin. Victim told the subject to stop. Subject continued to massage the victim's breasts. The victim stood up and the subject led the victim to her room. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room.	
USMA7	Rape	On Academy Grounds	3rd Year	Male	3rd Year	Female	Q4	Charge (Mental)											Cadet Discharge (Mental)	Victim and Subject were friends for three years, speaking back to back in the preparatory school. Victim met subject to her room to talk. Victim reported that she was not returned to her room. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room.
USMA8	Wrongful Sexual Contact	Off Academy Grounds	3rd Year	Male	4th Year	Female	Q4	Court/Mental Charge (Mental)	Conviction										After talking in a public hallway at a house party, the subject allegedly grabbed the victim's arm and forced her to have sexual contact. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room.	
USMA9	Wrongful Sexual Contact	Off Academy Grounds	Prep School	Male	Civilian	Female	Q2	Charge (Mental)											Subject and victim consensually had sex. Victim reported that she was not returned to her room. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room.	
USMA10	Wrongful Sexual Contact	Off Academy Grounds	4th Year	Female	4th Year	Male		Administrative Discharge											Subject and victim consensually had sex. Victim reported that she was not returned to her room. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room.	
USMA11	Wrongful Sexual Contact	Off Academy Grounds	4th Year	Male	4th Year	Female	Q4	harassment Evidence of Any Offense											Subject and victim consensually had sex. Victim reported that she was not returned to her room. The victim reported that she was not returned to her room. The victim reported that she was not returned to her room.	

ACADEMIC PROGRAM YEAR 2011-2012  
 REPORT ON SEXUAL HARASSMENT AND VIOLENCE AT THE MILITARY SERVICE ACADEMIES

**Consolidated Sexual Assault Synopses (Continued)**

No.	Offense	Location	Subject Grade	Subject Gender	Victim Grade	Victim Gender	Quarter Completed	Case Disposition	Case Disposition (Article 15)	Confined	Enlisted Status	Reduction	Good Mental Health	Referred to EOP	Corrective Action (NJP Only)	Adverse Administrative Action Type	Administrative Disposition Type	Case Synopsis
USM10	Aggravated Sexual Assault	DF Academy Grounds	2nd Year	Male	1st Year	Female	Q4	Unsubstantiated										DF Academy Grounds: Cadet Victim made up to Subject's apartment on 12/15/11. Subject reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."
USM11a	Aggravated Sexual Assault	DF Academy Grounds	0-1	Male	2nd Year	Female	Q1	Unsubstantiated	Article 15 Punishment Imposed							Other		DF Academy Grounds: Cadet Victim made up to Subject's apartment on 12/15/11. Subject reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."
USM11b	Aggravated Sexual Assault	DF Academy Grounds	0-1	Male	2nd Year	Female	Q1	Unsubstantiated										DF Academy Grounds: Cadet Victim made up to Subject's apartment on 12/15/11. Subject reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."
USM12	Rape	DF Academy Grounds	4th Year	Male	3rd Year	Female	Q3	Unsubstantiated										DF Academy Grounds: Cadet Victim reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."
USM14	Aggravated Sexual Assault	DF Academy Grounds	1st Year	Male	1st Year	Female	Q2	Unsubstantiated										DF Academy Grounds: Cadet Victim reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."
USM15	Rape	DF Academy Grounds	4th Year	Male	4th Year	Female	Q4	Unsubstantiated	Conviction				YES					DF Academy Grounds: Cadet Victim reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."
USM16	Aggravated Sexual Assault	DF Academy Grounds	0-1	Male	4th Year	Female	Q4	Unsubstantiated										DF Academy Grounds: Cadet Victim reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."
USM17	Rape	DF Academy Grounds	1st Year	Male	3rd Year	Female	Q1	Unsubstantiated										DF Academy Grounds: Cadet Victim reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."
USM18	Aggravated Sexual Assault	DF Academy Grounds	2nd Year	Male	1st Year	Female	Q2	Unsubstantiated										DF Academy Grounds: Cadet Victim reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."
USM19	Aggravated Sexual Assault	DF Academy Grounds	2nd Year	Male	2nd Year	Female	Q3	Unsubstantiated										DF Academy Grounds: Cadet Victim reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."
USM20	Aggravated Sexual Assault	DF Academy Grounds	0-1	Male	1st Year	Female	Q4	Unsubstantiated										DF Academy Grounds: Cadet Victim reported to the SADR for "Sexual Assault." Subject stated the victim was "not his girlfriend" and he was "not interested in her." Subject stated he was "not interested in her" and he was "not interested in her."

Consolidated Sexual Assault Synopses (Continued)

No.	Offense Investigated	Location	Subject Grade	Subject Gender	Victim Grade	Victim Gender	Case Description	Case Disposition	Court of Jurisdiction (if Applicable)	Confinement	Fines and Forfeiture	Restoration in Rank	Court-Mandated Discharge or Demerit	Restrictions	Hard Labor or Extra Duty	Condonation (WV only)	Adverse Administrative Action	Adverse Administrative Discharge Type	Case Synopsis
USA-FR1	Rape	Off Academy Grounds	Unknown	Unknown	1st Year	Female	Unknown Subject	Unknown Subject											Victim reported that she was drinking at a party. The victim of the incident victim's last name as in a case. She reported that subject had taken her right arm and had intercourse with her. Victim refused to cooperate with investigation. Without victim's cooperation no subject could be identified.
USA-FR2	Aggravated Sexual Assault	Off Academy Grounds	3rd Year	Male	1st Year	Female	Victim Reluctant to Prosecute	Reluctant to Prosecute											Victim was at a party/off base. She drank alcohol and had trouble remembering much of the night. She remembered "waking up" in subject's room with her clothes missing. She reported that subject had intercourse with her. Victim refused to cooperate with investigation. Without victim's cooperation no subject could be identified.
USA-FR3	Unlawful Sexual Contact	Off Academy Grounds	3rd Year	Male	Childen	Female	Court-Mandated Discharge (Childen)	Court-Mandated Discharge (Childen)	Adopted										Subject was reported to court martial for having victim on the lips and kissing her. Subject was reported to court martial for having victim on the chest and having intercourse with her. Subject was reported to court martial for having victim on the chest and having intercourse with her. Subject was reported to court martial for having victim on the chest and having intercourse with her. Subject was reported to court martial for having victim on the chest and having intercourse with her.
USA-FR4	Abusive Sexual Contact	On Academy Grounds	3rd Year	Male	Childen	Female	Court-Mandated Discharge (Childen)	Court-Mandated Discharge (Childen)	Condonation	YES	YES		YES						Subject was reported to court martial for having victim on the lips and kissing her. Subject was reported to court martial for having victim on the chest and having intercourse with her. Subject was reported to court martial for having victim on the chest and having intercourse with her. Subject was reported to court martial for having victim on the chest and having intercourse with her.
USA-FR5	Aggravated Sexual Assault	On Academy Grounds	1st Year	Male	1st Year	Female	Victim Reluctant to Prosecute	Reluctant to Prosecute											Victim was at a party near Denver, Colorado. The victim returned to Colorado Springs with the subject and both were highly intoxicated. Victim and subject engaged in sexual intercourse in the USAF dormitory. Victim reported that subject had intercourse with her. Victim refused to cooperate with investigation. Without victim's cooperation no subject could be identified.
USA-FR6	Aggravated Sexual Assault	On Academy Grounds	1st Year	Male	Childen	Female	Court-Mandated Discharge (Childen)	Court-Mandated Discharge (Childen)	Changes Dismissed								Childen Discharge System		Subject was reported to court martial for having victim on the lips and kissing her. Subject was reported to court martial for having victim on the chest and having intercourse with her. Subject was reported to court martial for having victim on the chest and having intercourse with her. Subject was reported to court martial for having victim on the chest and having intercourse with her.
USA-FR7a	Rape	Off Academy Grounds	4th Year	Male	4th Year	Female	Changes Reluctant to Prosecute	Changes Reluctant to Prosecute											Subject was reported to have forced the victim into sexual intercourse at a party. The victim reported that subject had intercourse with her. Victim refused to cooperate with investigation. Without victim's cooperation no subject could be identified.
USA-FR7b	Unlawful Sexual Contact	On Academy Grounds	4th Year	Male	0-2	Female	Court-Mandated Discharge (Childen)	Court-Mandated Discharge (Childen)											Subject was reported to court martial for having victim on the lips and kissing her. Subject was reported to court martial for having victim on the chest and having intercourse with her. Subject was reported to court martial for having victim on the chest and having intercourse with her. Subject was reported to court martial for having victim on the chest and having intercourse with her.



## Sexual Harassment Reports

Formal Sexual Harassment Reports at the US Military Service Academies APY11-12	
<p><b>A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:</b></p> <p style="margin-left: 20px;">a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or</p> <p style="margin-left: 20px;">b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or</p> <p style="margin-left: 20px;">c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.</p>	<b>APY11-12 TOTALS</b>
<b>A. Formal Sexual Harassment Complaints (total)</b>	<b>2</b>
# Cadet/Midshipman Complainants	2
# Non-Cadet/Midshipman Complainants	0
<b>B. Location of Incident</b>	<b>2</b>
# On Academy Grounds	2
# Off Academy Grounds	0
# Unidentified location	0
<b>C. # Total Sexual Harassment Investigations opened during APY11-12</b>	<b>2</b>
# Investigations pending completion as of 31 May 12	0
# Completed investigations as of 31 May 12	2
<b>D. Sexual Harassment Details - Length of time between incident and formal report</b>	<b>2</b>
# Reports made within 60 days of the sexual harassment	2
# Reports made more than 60 days following the sexual harassment	0
# Unknown	0
<b>E. # Reports forwarded to General Court Martial Convening Authority</b>	<b>2</b>
# Reports forwarded to GCMCA within 72 Hours	2
# Reports forwarded to GCMCA beyond 72 Hours	0
<b>F. Time of Sexual Harassment Incident</b>	<b>2</b>
# Midnight to 6 am	0
# 6 am to 6 pm	1
# 6 pm to midnight	1
# Unknown	0
<b>G. Day of Sexual Harassment Incident</b>	<b>2</b>
# Sunday	1
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	1
# Saturday	0
# Unknown	0
<b>H. # APY11-12 COMPLETED INVESTIGATIONS</b>	<b>2</b>
# Investigations with more than one complainant, more than one subject, or both	0
# of Subjects in Completed Investigations	2
<b>I. APY11-12 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS</b>	<b>2</b>
# Subjects with Unsubstantiated Complaints	1
# Pending command action as of 31 May 11	0
# Subjects for whom command action was completed of 31 May 12	1
<b>J. # Commander Actions (APY11-12 Subjects)</b>	<b>2</b>
# Courts-martial	0
# Nonjudicial Punishments	0
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Cadet Disciplinary System Actions	1
# Other adverse administrative actions	1

**Sexual Harassment Reports (Continued)**

Number	Month Closed	Subject Status	Subject Gender	Complainant Status	Complainant Gender	Initial Allegation Reported	Miscconduct Charged	Disposition	Brief Synopsis of Incident and Outcome
1	Apr-12	Cadet	Male	Cadet	Male	Cadet X reported that he made him feel uncomfortable on several occasions by his actions.	Communicating a threat	Substantiated	According to Cadet Y, Cadet X has touched her on several occasions including his hands and arms by stroking or tickling him. Cadet Y also reported that Cadet X has made verbal comments to him such as "he would break him in before the end of the semester" and also indicated verbally that he would rape him. Cadet Y was enrolled in the Respect Mentorship Program. He was subsequently separated.
2	Feb-12	Active Duty - NCO	Male	Cadet	Female	Cadet X detailed events that occurred over the previous 12 months where she felt she was treated differently based on her gender and that SFC Y had created a hostile environment.	Unsubstantiated sexual harassment complaint	Cadet X brought up three instances where SFC Y made her feel uncomfortable and believed that he was being unprofessional and conducting himself inappropriately. She stated that in Spring Semester 2011, SFC Y walked into the female latrine on two separate incidents and saw her naked once in the shower and once getting out of the shower. During Fall Semester, 2012, SFC Y conducted what she believed to be a room search in which he noticed some supplements that she had in the back of one of her drawers. Cadet X believes that there was not any reason for the search and was not notified by her Company Security Officer of any security checks. On January 2012, SFC Y had that she believed to be an inappropriate conversation with her about her boyfriend and marriage. SFC Y was suspended from his duty. Counselor received a letter of reprimand and per Cadet X's request, she was moved to a different company.	

Synopses of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen

Prepared by Department of Defense  
Sexual Assault Prevention and Response Office

[www.sapr.mil](http://www.sapr.mil) (For Program and Policy)  
[www.myduty.mil](http://www.myduty.mil) (For Victim Care)



**ENCLOSURE 1:**

**UNITED STATES MILITARY ACADEMY  
SELF-ASSESSMENT**





OFFICE OF THE SUPERINTENDENT  
UNITED STATES MILITARY ACADEMY  
WEST POINT, NEW YORK 10996-5000

MASP

OCT 17 2012

MEMORANDUM THRU DEPARTMENT OF THE ARMY, DEPUTY ASSISTANT SECRETARY OF  
THE ARMY (DIVERSITY & LEADERSHIP), WASHINGTON, DC 20310

THRU ASSISTANT SECRETARY OF THE ARMY (MANPOWER AND RESERVE AFFAIRS),  
111 ARMY PENTAGON, WASHINGTON, DC 20310-0111

THRU SECRETARY OF THE ARMY, 101 ARMY PENTAGON, WASHINGTON, DC 20310-0101

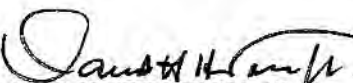
FOR UNDERSECRETARY OF DEFENSE (PERSONNEL AND READINESS), 101 ARMY  
PENTAGON, WASHINGTON, DC 20310-0101

SUBJECT: Annual Report (Academic Program Year 2011-2012)---Sexual Harassment and Violence at  
the United States Military Academy

1. Reference: Public Law 109-364, Section 532.
2. General. The National Defense Authorization Act for Fiscal Year 2007 requires Service Academy Superintendents to submit an annual report through their Military Department to the Secretary of Defense on sexual harassment/sexual assault involving Academy personnel.
3. Requirements. Section 532 details the report requirements for the Academic Program Year (APY) from 1 June to 31 May, generally corresponding to the beginning of summer training through graduation the following year. The report is at enclosure in the requested template formats, one in an MS Word document (with an addendum for the update on Action Items from the APY 2010-2011 Assessment), and the other in an MS Excel workbook.
4. Conclusion. USMA remains steadfast in its commitment to the Sexual Assault Prevention and Response (SAPR) program through focused preventive efforts and being approachably responsive to allegations of sexual harassment and assault. USMA has diligently and continuously improved its policies, procedures, and processes designed to prevent and respond to sexual assault in accordance with Department of Defense (DoD) requirements. These efforts are reflected in OSD Sexual Assault Prevention and Response Office's reassessment visit which assessed USMA's program as "in compliance" in all areas.
5. The point of contact for this report is LTC Kay "Linda" Emerson, West Point Diversity Officer, at (845) 938-0508, DSN: 688-0508.

2 Enclosures

1. APY 11-12 Programmatic Template
2. APY 11-12 Statistical Template

  
DAVID H. HUNTOON, JR.  
Lieutenant General, US Army  
Superintendent

# Academic Program Year 2011-2012 Annual Report on Sexual Harassment and Violence at the Military Service Academies: Instructions and Template

## Programmatic Data

The purpose of this report is to determine the effectiveness of policies, training, and procedures of the Academy with respect to sexual harassment and violence involving Academy personnel for Academic Program Year (APY) 2011-2012.

Note: The APY 11-12 is specifically from June 1, 2011 to May 31, 2012

### Executive Summary

Over the course of the Academic Program Year (APY) 2011-2012, the United States Military Academy (USMA) worked decisively on the action items from the APY 2010-2011 assessment while continuing to advance the academy's program on the prevention of sexual harassment and violence. The progressive training of the US Corps of Cadets and the United States Military Academy Preparatory School (USMAPS) Cadet Candidates through both formal and informal education by the USMA Staff and Faculty resulted in improved understanding of the Sexual Harassment Assault Response and Prevention (SHARP) program.

The Cadet training program relies on the Equal Opportunity (EO) lessons of prevention of sexual harassment and creating and maintaining a positive command climate for all personnel. These lessons are embedded in the Cadet Respect Program. Key tenets of the Respect Program are that every human being has infinite worth and dignity. The Cadet Respect Officers and NCOs in each cadet company provide peer assistance to their Cadet chain of command and fellow company members. Cadets are introduced to SHARP trained first responders for small group facilitation for training. . Staff and faculty members are also trained and informed of the SHARP program.

During APY 2011-2012, USMA received two unrelated formal complaints of sexual

harassment from Cadets. The alleged subjects were a fellow Cadet and a tactical Noncommissioned Officer. Upon investigation, the complaint lodged against the Cadet was substantiated, and the subject was separated from the Academy for communicating a threat. The complaint against the Noncommissioned Officer was unsubstantiated; however, concerns raised about his behaviors resulted in him receiving a letter of reprimand.

USMA received a total of 15 official reports of sexual assault; 12 unrestricted and three restricted reports. Eleven (11) of the twelve investigations of the unrestricted reports were completed in APY 2011-2012; a total of 10 investigations involving Cadet or Cadet Candidate subjects resulted in either findings of a sexual assault offense, other than a sexual assault offense or insufficient evidence in order to establish probable cause of a sexual assault offense. Two investigations were initiated by civilian law enforcement agencies. In one of those cases, the Cadet victim elected to not cooperate with the investigation of the unknown subject. The other case remains under investigation in the State of Indiana. In over 70% of the unrestricted reports, alcohol was used by either the victim or the subject. The responsible use of alcohol remains an area of concern for our Cadets. Several of the cases involved Cadets between whom there were previous dating relationships between the victim and subject.

USMA remains steadfast in its commitment to the Sexual Assault Prevention and Response (SAPR) program through focused preventive efforts and being approachably responsive to allegations of sexual harassment and assault. USMA has diligently and continuously improved its policies, procedures, and processes designed to prevent and respond to sexual assault in accordance with Department of Defense (DoD) requirements. These efforts are reflected in OSD Sexual Assault Prevention and Response Office's reassessment visit which assessed USMA's program as "in compliance" in all areas.

## **1. Program Overview**

1.1. Please provide a general overview of your Academy's Prevention of Sexual Harassment (POSH) and Sexual Assault Prevention and Response (SAPR) program. This overview should include such information as:

- authorizing Service and Academy regulations and policies and dates of publication
- general organizational structure of your Academy POSH and SAPR programs and personnel (e.g. Sexual Assault Response Coordinator (SARC), Equal Opportunity Advisor (EOA), Victim Advocate (VA), and Equal Opportunity

Representatives (EOR) structure, mid-level program management [if any], and program management)

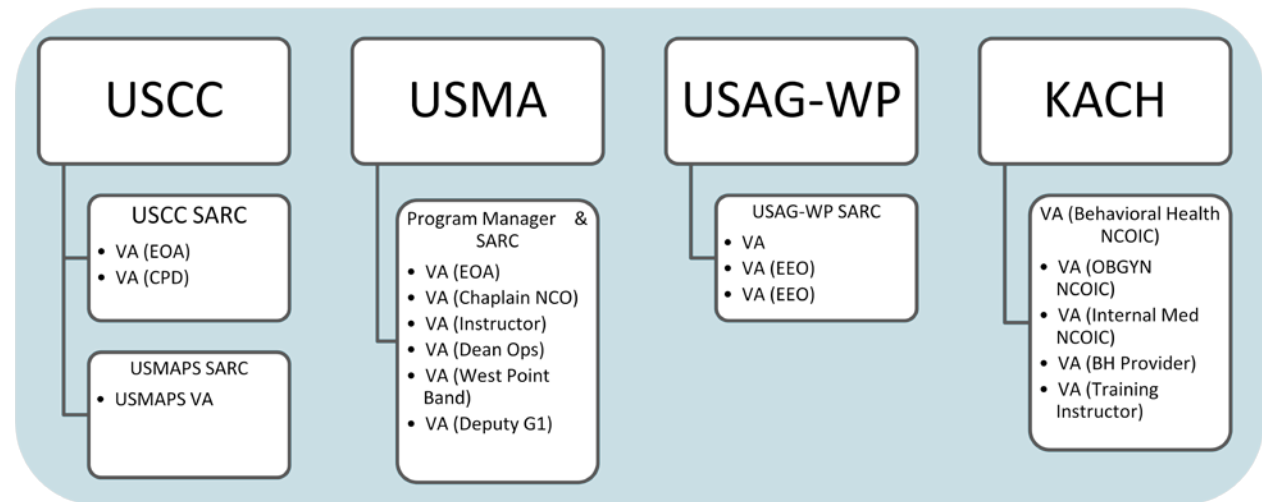
- other personnel involved and their roles in your Academy's POSH and SAPR Programs
- document retention policy implementation
- other (Please explain)

The governing regulations for Prevention of Sexual Harassment (POSH) and Sexual Assault Prevention and Response (SAPR) Program at the United States Military Academy (USMA) include: AR 600-20, Army Command Policy, Rapid Action Revision 4 August 2011 (also revised on 20 September 2012), Chapters 7 and 8, Prevention of Sexual Harassment and Sexual Assault Prevention and Response Program, respectively; and the USMA Policy 127-10, Sexual Assault Prevention and Response (SAPR) Program, USMA Policy Prevention of Sexual Harassment, dated 20 July 2012, Military Equal Opportunity Policy, dated 20 July 2012, and EO Complaint Procedures, dated 9 July 2012.

The general organizational structure of West Point's POSH and SAPR coordination is accomplished through 4 Sexual Harassment / Assault Response and Prevention (SHARP) Program certified Sexual Assault Response Coordinators (SARC) and 18 SHARP Program certified Victim Advocates. The Special Assistant to the Commandant for Human Relations (SAC-HR) serves as the US Corps of Cadets (USCC) SARC providing support to the Corps of Cadets and USCC staff. USCC has two certified Victim Advocates: a counselor in the Center for Personal Development (CPD) and the USCC Equal Opportunity Advisor (EOA). The United States Military Academy Preparatory School (USMAPS) is a subordinate structure to the Commandant, USCC. At USMAPS, a civilian instructor is assigned duties as the Special Assistant to the Commandant for Human Relations (SAC-HR), liaising to USCC SARC. The USMAPS SAC-HR serves as the response coordinator for the USMAPS Cadet Candidates. A USMAPS Tactical Noncommissioned Officer is a certified Victim Advocate. The West Point Installation SARC duties are performed by the US Army Garrison-West Point (USAG-WP) Family Advocacy Program Manager (FAPM). The Family Advocacy Program (FAP) Victim Advocate (VA) provides victim advocacy services primarily for sexual assault victims that are Soldiers, Civilian employees and adult Family Members. The FAPM and FAP VA are part of West Point's Army Community Services (ACS) team. The USAG-WP Equal Employment Opportunity (EEO) Office has two staff members who are SHARP Program certified Victim Advocates. The Corps of Cadets may also obtain victim advocacy support from the medical service providers at the Mologne Cadet Health Clinic or any of the other certified SARCs or Victim Advocates mentioned above or located in the USMA Staff and Faculty. The West Point Diversity Officer serves as the SHARP Program Coordinator, a SHARP certified SARC, and is the coordinator for the monthly Sexual Assault Review Boards hosted by the Superintendent. The USMA Staff and Faculty also have six SHARP Program certified Victim Advocates. This support network is complemented by SHARP Program certified Victim Advocates that are assigned to the Keller Army Community Hospital staff.



## West Point SHARP Program Coverage



Other members of the West Point community are partners in the prevention of sexual harassment and sexual assault. They include, but are not limited to the Army Substance Abuse Program, Criminal Investigation Command, and the Staff Judge Advocate. Representatives of these offices have assisted with the training and education of members of the Corps of Cadets and Staff and Faculty. Together, we provide a unified front in prevention and are linked to provide a comprehensive network of assistance to victims, survivors, members of the chain-of-command, and the community.

## 2. Institutionalize Prevention Strategies in the Military Community

**2.1.** Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 11-12 to prevent sexual harassment and sexual assault, including but not limited to:

- efforts by your Academy to promote a culture of prevention
- education and training initiatives associated with bystander intervention or appropriate risk reduction that does not blame victims
- communications, social marketing, and media initiatives
- work done to implement or support the Department's Sexual Assault Prevention Strategy
- methods used to foster prevention-related coalitions and networks (i.e. subject matter experts consulted and involved)
- studies of sexual harassment or sexual assault prevalence and/or prevention programming effectiveness supported or performed by your Academy.
- number of personnel and cadets/midshipmen (by year) who received annual POSH and SAPR training
  - training methods and time allotted for training
  - alternative arrangements for individuals absent during training

The United States Military Academy made advances in the prevention of sexual harassment and sexual assault through aggressive training efforts, the Cadet leadership's force protection initiative, the creation of X and Y cases and the Cadet produced video. Early in Academic Program Year 2011-2012, the SHARP certified Equal Opportunity Advisors headed out to the training areas to provide refresher training to the Regular Army and Reserve component training details. These sessions highlighted appropriate standards to maintain and expect from both the Cadets and Soldiers. These sessions are credited with staving off the behaviors that may have resulted in sexual harassment complaints against the visiting training cadre.

The most significant initiatives were made by members of the Corps of Cadets. In response to the previous academic year's case review, the Cadet leadership authored a force protection initiative that requires all fourth class Cadets, Cadets of concern, or Cadets enrolled in a mentorship program to require roommates of the same class and gender for weekends and long weekends, collapsing into another company, if necessary. This initiative also required additional presence patrols and checks for Cadets in duty officer positions over the weekends. The Cadet cadre also created a force protection video that highlights both bystander intervention and Cadets in duty officer positions responsibilities.

Genderless "X and Y" case write-ups containing the descriptions of the background, incident, outcome and lessons learned from three cases were shared in small unit training sessions. The cases bring to light opportunities to intervene that if left unchecked, actually resulted in wrongful sexual contact, indecent assault, and unwanted surveillance. Prior to publishing, incident survivors were afforded the opportunity to consent or decline the use of the write-ups for training purposes.

Prior to the directive for expedited transfer of victims, the Dean of the Academic Board and the Commandant of the US Corps of Cadets established a procedure for immediate movement of alleged Cadet subjects to the furthest geographical location within the Corps of Cadets' footprint, upon receipt of a credible unrestricted report of sexual assault from a fellow Cadet. The Dean of the Academic Board also ensures that the Cadet victim and Cadet subject are not in any of the same classes, if they are, arrangements are made to minimize the likelihood of unintentional academic partnership on projects of the victim and subject.

Cadet Respect Representatives authored monthly SHARP newsletters that were posted in the barracks' restrooms and in public areas. In addition to reorganization week briefings by senior leadership (Superintendent, Commandant, and Dean), each Cadet class received the following training and education:

Class of 2012: 3..5 hours Summer Leader Training Prep Gender Relations overview (1: 150), SHARP Program overview by USCC Sexual Assault Response Team (1:1,000) Russell Strand Presentation of "Sexual Predator: The Hunter and the Hunted" (1:1,000), Cadet SHARP film with small group discussion (1:120). Total trained: 1,032.

Class of 2013: 2.5 hours Summer Leader Training Prep Gender Relations overview (1:150), Sex Signals (1:250), Cadet SHARP film with small group discussion (1:120). Total trained: 1,095.

Class of 2014: 1.5 hours SHARP Program overview by USCC Sexual Assault Response Team (1:1,000), Cadet SHARP film with small group discussion (1:120). Total trained: 1,191.

Class of 2015: 2.5 hours New Cadet SHARP Program overview (1:1,000), Veraunda Jackson presentation "What about You" (1:1,000), Cadet SHARP film with small group discussion (1:120). Total trained: 1,209.

Cadets who miss the smaller venue training sessions receive make-up training sessions. Those who miss the larger venue, copyrighted content, were not provided make up sessions. Every Cadet received exposure to prevention of sexual harassment and sexual assault training at one or more points during the APY 2011-2012.

The USCC Sexual Assault Response Team (SART) attended the 80-hour SHARP Program Training Course, as well as the US Army Region X SART Seminar at Fort Drum, NY, and semi-annual training with the West Point First Responders.

### **3. Increase Climate of Victim Confidence Associated with Reporting**

**3.1** Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 11-12, to increase a climate of victim confidence associated with reporting, including but not limited to:

- encourage the reporting of sexual assault
  - steps taken to publicize reporting options (Unrestricted and Restricted)
  - steps taken to publicize the care support available with reporting
  - steps initiated to reduce the stigma associated with reporting sexual assault and increase a climate of confidence with reporting
- understand and overcome reporting challenges
  - discuss reporting challenges and solutions your Academy developed and implemented
  - number of times (Unrestricted or Restricted) where the confidentiality of a report was breached for any reason
- facilitate the use of reporting methods for sexual harassment (formal and informal)

In order to increase a climate of victim confidence, USMA endeavors to have multiple first responders present and recognized during training sessions or guest speaker presentations. This extra effort allows the attendees to see face-to-face the people that serve as our catalyst to inspire prevention and the entry point to our networked response team to facilitate future reporting. West Point SARCs and Victim Advocates hand out the Department of the Army SHARP touch card and the DoD Safehelp Line magnets and stickers, in addition to a locally produced brochure with contact information for first responders.

The Corps of Cadets is taking ownership of the SHARP Program. They developed their own force protection video and newsletters. More than 1,670 Cadets and West Point community members participated in the Sexual Assault Awareness Month "Walk-a-Mile". Entire Cadet units and several sports teams made time for the one mile loop event that was co-hosted with the Mental Health Associates of Orange County, Inc. (rape crisis advocates). At the end of April the Noncommissioned Officers of the United States Military Academy reaffirmed their commitment to preventing sexual harassment and sexual assault by conducting a run/walk on West Point. More than 500 NCOs, Officers, Cadets and civilians participated, showing their support for the SHARP Program. The Corps of Cadets and the Cadet Candidates viewed the Cadet produced video prior to Spring Break. Unit leaders and SHARP personnel facilitated small group discussions on the video and Spring Break safety. These sessions lasted an hour.

Clear, consistent messaging from senior leaders down to and including Cadet leadership reinforced the lessons of bystander intervention, reporting options, and access to assistance. SHARP Training sessions inform staff, faculty, and Cadets on the reasons for not reporting sexual assaults, and not submitting complaints of sexual harassment. Attendees are inspired to take an active role in stopping inappropriate behaviors.

#### **4. Improve Sexual Assault Response**

**4.1** Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 11-12 to respond to or improve the response to allegations of sexual harassment and sexual assault, including but not limited to:

- availability of immediate, trained sexual assault and sexual harassment response capability
- the number of SARCs, EOAs, VAs and EORs trained and types of training received, to include refresher training
  - training methods and time allotted for training
  - alternative arrangements for individuals absent during training
- the number of 'first responders' trained and types of training (including criminal investigators, law enforcement, medical personnel, judge advocates, and chaplains)
  - training methods and time allotted for training
  - alternative arrangements for individuals absent during training
- victim care improvements both on and off-installation
- academy-wide approaches to incorporate SAPR and POSH at all levels of leadership
- access to resources and supplies
- existing gaps in supply inventory results, as well as the shortage of supplies, trained personnel, and transportation resources, in responding to cases of sexual assault/sexual harassment
- number of victims if any, whose care was hindered due to the lack of available sexual assault forensic examination kits, or other needed supplies and describe how this information is collected. Discuss what measures you took to remedy the

situation at those locations.

The United States Military Academy made advances in the ability to respond to or improve the response to allegations of sexual harassment and sexual assault through aggressive training efforts, the Cadet leadership's force protection initiative, the creation of X and Y cases and the Cadet produced video.

In June 2011, 15 first responders (three SARCs and 12 Victim Advocates) from across West Point received their SHARP certification. In January 2012, five more personnel from across West Point received their SHARP certification as Victim Advocates. Early in Academic Program Year 2011-2012, the SHARP-certified Equal Opportunity Advisors headed out to the training areas to provide refresher training to the 400 Regular Army and Reserve component Soldiers assigned summer rotation training duties. These hour-long facilitated discussion sessions highlighted appropriate standards to maintain and expect from both Cadets and fellow Soldiers. These sessions are credited with preventing inappropriate behaviors that may have resulted in sexual harassment complaints against the visiting training cadre.

The ability to respond to complaints of sexual harassment and reports of sexual assault is maintained through 4 Sexual Harassment / Assault Response and Prevention (SHARP) Program certified Sexual Assault Response Coordinators (SARC) and 18 SHARP Program certified Victim Advocates. This provides a networked response capable of supporting the personnel assigned to or working at the United States Military Academy and the tenant units on West Point. The Army SHARP Course certification program is an 80-hour program of instruction. Forty hours of the course are spent on prevention of and responding to complaints of sexual harassment and 40 hours are spent on prevention of and response to sexual assault.

In addition to the SHARP Course, first responders (SARCs, victim advocates, CID agents, and legal assistance providers) were required to attend (and/or present) the Army's 3-hour block of mandatory SHARP training, and an online situational training program entitled, Team Bound. The first responders also participated in one or both of two 1.5 hours First Responder Cross-Training sessions, where the following were discussed:

a. Reviewed roles and responsibilities of each functional area (SARC, VA, CID, SJA, Chaplain, Healthcare Provider) according to DODI 6495.02, Army Regulations, and local operating instructions.

b. Using recent cases, we reviewed and evaluated our response of each functional area involved. No new policies or operating procedures were authored.

All four SARCs and 18 Victim Advocates attended at least one session of the refresher training; most attended both sessions. CID sent one agent to each session, and SJA provided one Legal Assistance attorney for one session.

Also, Russell Strand presented his "The Hunter and the Hunted" to the Class of 2012.

First responders (SARC, Victim Advocates, as well as CID agents and law enforcement personnel) were invited to attend. Following that 1.5 hour presentation, Mr. Strand provided a supplemental 2-hour session specifically for first responders and law enforcement personnel. Approximately 25 personnel from across West Point attended the supplemental session. In addition to the 3-hour block of required SHARP Training the West Point chaplaincy (13 military and civilian personnel) received an additional hour of facilitated discussion on response policies, victimology, victim rights, and lessons learned in providing pastoral care while supporting the command.

Our CID office receives continual training on sexual assault response policies, victimology, understanding sex offenders, crime scene management, interview techniques, investigating difficult cases, recantations and false information, and working with SARCs and Victim Advocates. The format of these training sessions varies; some are lecture, either here at West Point or involve traveling to Fort Leonard Wood for advance schooling. The SJA and SHARP personnel share resources with CID and vice versa. Whenever possible, make-up training for the CID agents was conducted with the primary instructor, or by an agent whom attended the original presentation utilizing the presentation materials of the principal instructor. In the situations when one of the six agents is deployed, no make-up session was conducted for the deployed member, but the presentation materials were shared. The SJA trial counsel and military defense counsel received training on the revisions to Article 120; trial counsel training on case preparation; and training for working child victim sexual assault cases. This training was conducted in a small group setting with all of our available lawyers present.

The United States Military Academy utilized several methods to ensure that SAPR and POSH at all levels of leadership. The Corps of Cadets is taking ownership of the SHARP Program. They developed their own force protection video and newsletters. More than 1,670 Cadets and West Point community members participated in the Sexual Assault Awareness Month "Walk-a-Mile". Entire Cadet units and several sports teams made time for the one mile loop event that was co-hosted with the Mental Health Associates of Orange County, Inc. (rape crisis advocates). At the end of April the Noncommissioned Officers of the United States Military Academy reaffirmed their commitment to preventing sexual harassment and sexual assault by conducting a run/walk on West Point. More than 500 NCOs, Officers, Cadets and civilians participated, showing their support for the SHARP Program.

Consistent, mutually-supporting messaging from senior leaders down to and including Cadet leadership reinforced the lessons of bystander intervention, reporting options, and access to assistance. The Dean of the Academic Board and the Commandant of the US Corps of Cadets created a joint video message that reinforces their commitment to the SHARP program and identifies the initial actions they take in response to a report of sexual assault. SHARP Training sessions inform staff, faculty, and Cadets on the reasons for not reporting sexual assaults, and not submitting complaints of sexual harassment. Attendees are encouraged to take an active role in stopping inappropriate behaviors.

All POSH and SAPR training is incorporated in combined lessons. The Army's SHARP Program merges prevention of sexual harassment in order to stop behaviors that may escalate into sexual assault, thereby preventing sexual assault. Part of these presentations highlights the availability of victim care services, both on and off-post. West Point has maintained its partnership with the Mental Health Associates of Orange County, Inc., and the USCC SARC is partnering with nearby colleges, such as Vassar College, to share best practices and leverage expertise.

During APY 11-12, West Point did not experience any gaps in supply inventory, trained personnel or transportation resources in responding to cases of sexual assault / sexual harassment. The provision of care for victims was not hindered due to the lack of available sexual assault forensic examination kits, or other needed supplies.

## **5. Improve System Accountability**

**5.1** Please provide a description of how your Academy executes its oversight of programs supporting the prevention and response of sexual harassment and sexual assault.

The primary means of oversight of the SAPR program at West Point is the monthly Sexual Assault Review Board (SARB). The USMA Superintendent chairs the SARB, which covers the review of the program's progress, upcoming events, and recently closed and open sexual assault case(s). New commanders attending the SARBs are provided an overview of the SARB and their role and responsibility in attendance.

During the quarterly Family Advocacy Committee (FAC) meetings, the Installation SARC/FAPM provides a brief report of SAPR Program activities during the preceding quarter; no identifying information is shared with the FAC members, only a synopsis of prevention and outreach activities. The FAC meeting is chaired by the Garrison Commander, who also attends the SARB.

The USCC Commandant conducts a monthly Human Relations/Center for Personal Development (HR/CPD) update. The update provides the Commandant information on open sexual assault cases, trends of cadets seeking counseling services, curriculum, equal opportunity complaints, and other observations of current Cadet life. The USCC Sexual Assault Response Team meets quarterly to cross-train and to identify possible improvements or training opportunities for the team's response to incidents of sexual assault.

**5.2** Please include a synopsis of the formal processes, participants, and data collection activities that support oversight of the programs including by not limited to:

- program management reviews
- steps taken to address recommendations from past external oversight activities, such as those performed by:
  - Government Accountability Office (GAO)

- DoD Inspector General (IG)
- Defense Task Force on Sexual Assault in the Military Services (DTF-SAMS)
- comprehensive metrics to collect, analyze and report on program improvements
- standardized SAPR/POSH requirements, terminology, protocols, and guidelines for instructional materials
- research and data collection activities that have taken place within your Academy during the past fiscal year
- initiation or execution of any survey for the purpose of informing or improving Academy POSH and SAPR programming, including highlights of available findings
- initiation or execution of any empirical research or evaluation project to inform or improve Academy POSH and SAPR programming, including highlights of available findings

The primary means of oversight of the SAPR program at West Point is the monthly Sexual Assault Review Board (SARB), which is attended by all senior leaders (Superintendent, Commandant, Dean of the Academic Board, the Director of Intercollegiate Athletics, colonel-level commanders and the regimental tactical officers (battalion-level commanders) of the Corps of Cadets. Additionally, the four SARCs, the Victim Advocates currently providing advocacy, SJA, CID, the Alcohol and Substance Abuse Program (ASAP), The USMA Superintendent chairs the SARB, which covers the review of the program's progress, upcoming events, and recently closed and open sexual assault case(s). New commanders attending the SARBs are provided an overview of the SARB and their role and responsibility in attendance, as outlined in Army Regulation 600-20.

In addition to case management review, the SARBs review past and upcoming training and program events. The completion of mandatory training progress of Staff, Faculty and support personnel. The Comprehensive SHARP Curriculum Development Team provided an out-brief to the SARB on their recommendations, which included recommended metrics to collect, analyze and report on program improvements. The metric data has not been analyzed at the time of report submission.

## **6. Improve Knowledge and Understanding of SAPR**

**6.1.** List internal and external stakeholders for sexual harassment and sexual assault for your Academy. Please include any collaboration with other entities.

There are numerous stakeholders of the United States Military Academy's Sexual Harassment/Assault Response & Prevention (SHARP) Program. Some of the internal stakeholders include the US Corps of Cadets and the Cadet Candidates, the staff, faculty, support personnel, and the Academy leadership team. Other internal stakeholders include the on-post organizations that provide victim care, such as the Keller Army Community Hospital, law enforcement, and Criminal Investigation Command. External stakeholders of the USMA SHARP Program include parents and next-of-kin of the US Corps of Cadets and the Cadet Candidates, local communities,



alumni of USMA, Department of the Army, Department of Defense, the American people, and the people of foreign countries with whom our Cadets interact during individual advanced development trips.

We continue to partner with the Mental Health Associates of Orange County, Inc. and their Sexual Assault Response Team (SART) efforts. They work with us on our “Walk-a-Mile” events. We began partnering with the local colleges’ sexual assault response providers, sharing lessons learned and training/educational resources.

**6.2.** Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 11-12 to inform and educate the stakeholders listed above about sexual harassment and sexual assault.

Locally, the West Point partnership with Mental Health Associates of Orange County, Inc. and their Sexual Assault Response Team (SART) continues. They work with us on our “Walk-a-Mile” events, and display a sincere concern for respecting and supporting the Department of Defense’s policies regarding victim care. In APY 2011-2012, USCC began partnering with the local colleges’ sexual assault response providers, sharing lessons learned and training/educational resources.

On a strategic level, the Superintendent briefed several congress members on the USMA SHARP Program. Several congressional members sent delegations of staff members on visits to the academy to inquire about the SHARP Program. Delegations to West Point appeared to have positive experiences which were reinforced by their interactions with Cadets, previewing the Cadet produced force protection video, and tours through several of the barracks buildings. The barracks tours include comparisons of the various configurations of architecture, security camera layouts, maintenance of unit integrity, while minimizing distances to gender-assigned shower and toilet facilities.

## **7. Data for Cadet/Midshipman Reports**

**7.1.** Please provide a narrative that summarizes the reports made during APY 11-12 including but not limited to:

- total number of sexual assault reports
- number of Unrestricted reports
- number of Restricted reports
- reports converted from Restricted to Unrestricted
- dispositions for investigations of Unrestricted reports
- number of formal and informal sexual harassment complaints
- dispositions for investigation of sexual harassment complaints

The United States Military Academy Sexual Assault Response Team (SART) received 15 reports of sexual assault during Academic Program Year 2011-2012.

Total number of reports: 15

Restricted reports: 3

Unrestricted reports: 12 (Note: One of the unrestricted reports was a conversion from restricted report rendered in APY 2010-2011 to an unrestricted report in APY 2011-2012. There were zero conversions of APY 2011-2012 restricted reports to unrestricted reports in the reporting period.)

The 10 investigations of the unrestricted reports by CID resulted in either findings of a sexual assault offense, other than a sexual assault offense or insufficient evidence in order to establish probable cause of a sexual assault offense. Two investigations were initiated by civilian law enforcement agencies. In one of those cases, the Cadet victim elected to not cooperate with the investigation of the unknown subject. The other case remains under investigation in the State of Indiana.

All, but one of the victims rendering reports were female; all but one a Cadet. All, but one of the alleged subjects were male. In two cases, the alleged subjects were civilians. In 8 of the 12 unrestricted reports, alcohol was used by either the victim or the subject. In 3 of the 8 cases, only the subject imbibed in alcohol prior to the alleged assault. The responsible use of alcohol remains an area of concern for our Cadets. Several of the cases involved cadets between whom there were previous dating relationships between the victim and subject.

USMA received two complaints of sexual harassment from Cadets; both were formal. One of the complaints involved an allegation of physical and verbal harassment, the investigation of this complaint resulting in a substantiation of the alleged behaviors. The subject was separated from the Corps of Cadets. The other complaint of sexual harassment was unsubstantiated. However, the alleged subject received a letter of reprimand, and the chain-of-command honored the complainant's request for transfer to another company.

## **8. Gender Relations Survey**

**8.1.** If available, please review the findings of the 2012 Service Academy Gender Relations Survey conducted by the Defense Manpower Data Center (DMDC). Explain how this data reflects your Academy's achievement, progress or need for improvement in:

- climate of confidence to report and seek help
- prevention of sexual assault
- access and knowledge of resources for medical care and counseling
- understanding of Restricted and Unrestricted reporting options
- knowledge of the reporting process for sexual harassment and sexual assault
- training on how to avoid situations that increase risk of sexual violence
- underreporting of sexual harassment and sexual assault

Results of the survey were not available for inclusion in this report.

**8.2.** Please describe how your Academy will apply specific results of the 2012 Service Academy Gender Relations Survey to sexual assault and sexual harassment prevention and response.

Results of the survey were not available for inclusion in this report.

## **9. Plans for APY 12-13**

**9.1** Please describe the plan for actions that are to be taken in APY 12-13 regarding prevention and response to sexual harassment and sexual assault involving Academy personnel, including but not limited to:

- prevention of sexual harassment and sexual assault
- improving victim reporting of sexual assault and knowledge of sexual harassment reporting resourcing
- response to victims
- oversight activities
- stakeholder outreach

During the APY 2012-2013, USCC will incorporate the Cadets Against Sexual Harassment/Assault (CASH/A) Program. Initially, the Cadets will be trained to increase their depth of understanding about the crimes of sexual harassment and sexual assault. CASHA Cadets are expected to serve as in-house, knowledgeable residents of the barracks able to explain the reporting process for complaints of sexual harassment or report incidents of sexual assault, and able to provide an in-person hand-off to SHARP personnel. Leaning forward into APY 2013-2014, CASHA Cadets will have the opportunity for a Military Individual Advanced Development (MIAD) in order to attend the SHARP Program Training Course. This will enable the Cadets to provide an initial provision of victim advocacy, with a hand-off to other first responders for long-term victim care.

We will establish civilian full-time positions for the USMA SARC and Victim Advocate. It is expected that the persons that will fulfill these roles will work to increase reporting and provide improved outreach. Parents and Next-of-Kin of Cadets will be provided the contact information for the SHARP Response phone in order to minimize the occurrence of restricted reports converting to unrestricted reports---not at the victim's choosing. Educating the parents and next-of-kin will increase awareness of the sincerity with which USMA and the Army handle the crimes of sexual harassment and sexual assault.

West Point will incorporate a training program as a part of the program management reviews that are conducted within the Sexual Assault Review Boards. USMA will update the Sexual Assault Prevention & Response (SAPR) Program Policy, incorporating the latest provisions outlined in applicable, law, policy and regulatory guidance. USMA will improve its lateral interaction with the other military service academy (MSA) Sexual Assault Response Teams (SART) by conducting quarterly meetings and reinvigorating the annual MSA SART conference. These efforts are expected to improve the sharing of best practices and resources across the service academies.

## **10. Status of Past Action Items and Recommendations in previous reports**

**10.1** For the following section, refer to the APY10-11 Report on Sexual Harassment and Violence for a list of the current action items and past recommendations for your Academy. List each action item or recommendation verbatim from the report and describe in detail your progress in addressing the item. For each item provide or describe evidence of compliance, your assessment of the item's completion (e.g. in progress, closed), and an estimated completion date for those items considered to be in progress.

See attachment.

<b>ACADEMIC PROGRAM YEAR 2011 - 2012 SUMMARY OF UNRESTRICTED SEXUAL ASSAULT REPORTS INVOLVING CADETS/MIDSHIPMEN</b>	<b>APY11-12 Totals</b>
<b>Total Cadet/Midshipman victims in all investigations closed in APY11-12*</b>	<b>10</b>
<b>Cadet/Midshipman victims whose reports of sexual assault could be substantiated*</b>	<b>6</b>
<b>Total Cadet/Midshipman subjects in all investigations closed in APY11-12</b>	<b>10</b>
<b>Cadet/Midshipman subjects against whom sexual assault reports could be substantiated</b>	<b>7</b>
<b>Sexual Assault Investigations Involving Cadet/Midshipman Opened and Completed in APY11-12</b>	<b>APY11-12 Totals</b>
# Cadet/Midshipman victims identified in investigations initiated and closed in APY11-12*	10
# Cadet/Midshipman victims whose reports of sexual assault could be substantiated*	6
# Cadet/Midshipman subjects identified in investigations initiated and closed in APY11-12	10
# Cadet/Midshipman subjects against whom sexual assault reports could be substantiated	7
<b>Sexual Assault Investigations Involving Cadet/Midshipman Opened Prior to APY11-12 and Completed in APY11-12</b>	<b>APY11-12 Totals</b>
# Cadet/Midshipman victims identified in Pre-APY11-12 investigations closed in APY11-12*	0
# Cadet/Midshipman victims whose reports of sexual assault could be substantiated*	0
# Cadet/Midshipman subjects identified in Pre-APY11-12 investigations closed in APY11-12	0
# Cadet/Midshipman subjects against whom sexual assault reports could be substantiated	0
<b>*Does not include victims from Restricted Reports, per mandate in PL 111-383</b>	
<b>ACADEMIC PROGRAM YEAR 2012 SUMMARY OF RESTRICTED SEXUAL ASSAULT REPORTS INVOLVING Cadets/Midshipmen</b>	
	<b>APY11-12 Totals</b>
<b># Cadet/Midshipman Victims initially making Restricted Reports</b>	<b>3</b>
<b># Cadet/Midshipman Victims who converted from Restricted Report to Unrestricted Report in the current APY</b>	<b>0</b>
<b># Cadet/Midshipman Victim Reports Remaining Restricted</b>	<b>3</b>

## 1. Unrestricted Reports

United States Military Academy APY11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS	
<b>A. APY11-12 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipmen.</b>	<b>APY11-12 Totals</b>
Note: The data about Unrestricted Reports in Sections A and B below is raw, uninvestigated information about allegations received during APY11-12. These Reports may not be fully investigated by the end of the Academic Program year.	
<b># VICTIMS in APY11-12 Unrestricted Reports</b>	<b>12</b>
# Cadet/Midshipman victims	11
# Non-Cadet/Midshipman victims	1
<b># Unrestricted Reports in the following categories</b>	<b>12</b>
# Cadet/Midshipman on Cadet/Midshipman	9
# Cadet/Midshipman on Non-Cadet/Midshipman	1
# Non-Cadet/Midshipman on Cadet/Midshipman	1
# Unidentified Subject on Cadet/Midshipman	1
<b># Unrestricted Reports of sexual assault occurring</b>	<b>12</b>
# On Academy Grounds	5
# Off Academy Grounds	7
# Unidentified location	0
<b># Investigations Initiated (From APY11-12 Unrestricted Reports)</b>	<b>12</b>
# Investigations pending completion as of 31 May 12	1
<b># Completed Investigations as of 31 May 12</b>	<b>11</b>
<b># All Restricted Reports received in APY11-12</b>	<b>3</b>
# Converted from Restricted Report to Unrestricted Report*	0
<b># APY11-12 RESTRICTED REPORTS REMAINING RESTRICTED</b>	<b>3</b>
<b>B. DETAILS OF UNRESTRICTED REPORTS RECEIVED IN APY11-12</b>	<b>APY11-12 Totals</b>
<b>Length of time between sexual assault and Unrestricted Report</b>	<b>12</b>
# Reports made within 3 days of sexual assault	6
# Reports made within 4 to 30 days after sexual assault	1
# Reports made within 31 to 365 days after sexual assault	5
# Reports made longer than 365 days after sexual assault	0
# Unknown	0
<b>Time of sexual assault</b>	<b>12</b>
# Midnight to 6 am	5
# 6 am to 6 pm	2
# 6 pm to midnight	4
# Unknown	1
<b>Day of sexual assault</b>	<b>12</b>
# Sunday	2
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	1
# Friday	5
# Saturday	4
# Unknown	0
<b>C. SUMMARY OF ALL INVESTIGATIONS OF UNRESTRICTED REPORTS COMPLETED IN APY11-12</b>	<b>APY11-12 Totals</b>
<b># Total Investigations completed during APY11-12</b>	<b>11</b>
# Investigations opened in APY11-12 and completed in APY11-12	11
# Of these investigations with more than one victim, more than one subject, or both	0
# Investigations opened prior to APY11-12 and completed in APY11-12	0
# Of these investigations with more than one victim, more than one subject, or both	0
<b># SUBJECTS in all investigations completed during APY11-12</b>	<b>11</b>
<b># Cadet/Midshipman subjects in completed investigations</b>	<b>10</b>
# Your Cadet/Midshipman subjects investigated by your Service	10
# Other Service Cadet/Midshipman subjects investigated by your Service	0
# Non-Cadet/Midshipman subjects in your Service's investigations	0
# Unidentified subjects in your Service's investigations	1
<b># VICTIMS in all investigations completed during APY11-12</b>	<b>11</b>
<b># Cadet/Midshipman victims</b>	<b>10</b>
# Cadet/Midshipman victims in own Service's investigations	10
# Other Service Cadet/Midshipman victims in your Service's investigations	0
# Non-Cadet/Midshipman victims in your Service's investigations	1
# Unidentified victims in your Service's investigations	0

D. FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED APY11-12 INVESTIGATIONS	APY11-12 Totals	D1. ASSOCIATED VICTIM DATA FOR COMPLETED APY11-12 INVESTIGATIONS	APY11-12 Totals
# Investigations opened in APY11-12 and completed in APY11-12	11	# VICTIMS in investigations opened in APY11-12 and completed in APY11-12	11
# SUBJECTS in investigations opened in APY11-12 and completed in APY11-12	11	# Cadet/Midshipman Victims in investigations opened and completed in APY11-12	10
# Cadet/Midshipman Subjects in investigations opened and completed in APY11-12	10	# Total Victims associated with MCIO unfounded allegations	0
# Total Subjects with allegations unfounded by a Military Criminal Investigative Organization	0	# Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Cadet/Midshipman Subjects with allegations unfounded by MCIO	0	# Non-Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Non-Cadet/Midshipman Subjects with allegations unfounded by MCIO	0		
# Total Subjects Outside DoD Prosecutive Authority	1	# Cadet/Midshipman Victims in substantiated Unknown Offender Reports	0
# Unknown Offenders	1	# Cadet/Midshipman Victims in remaining Unknown Offender Reports	0
		# Cadet/Midshipman Victims in substantiated Civilian/Foreign National Subject Reports	0
# US Civilians or Foreign National Subjects not Subject to the UCMJ	0	# Cadet/Midshipman Victims in remaining Civilian/Foreign National Subject Reports	0
		# Cadet/Midshipman Victims in substantiated reports against a Cadet/Midshipman who is being Prosecuted by a Civilian/Foreign Authority	0
# Cadet/Midshipman Prosecuted by a Civilian or Foreign Authority	0	# Cadet/Midshipman Victims in substantiated reports with a deceased or deserted subject	0
# Subjects who died or deserted	0	# Cadet/Midshipman Victims in remaining reports with a deceased or deserted subject	0
# Total Command Action Precluded or Declined for Sexual Assault	2	# Cadet/Midshipman victims who declined to participate in the military justice action	0
# Cadet/Midshipman Subjects where victim declined to participate in the military justice action	0	# Cadet/Midshipman victims in investigations having insufficient evidence to prosecute	0
# Cadet/Midshipman Subjects whose investigations had insufficient evidence to prosecute	2	# Cadet/Midshipman victims whose cases involved expired statute of limitations	0
# Cadet/Midshipman Subjects whose cases involved expired statute of limitations	0	# Cadet/Midshipman victims whose allegations were unfounded by Command	0
# Cadet/Midshipman Subjects with allegations that were unfounded by Command	0	# Cadet/Midshipman victims who died before completion of the military justice action	0
# Cadet/Midshipman Subjects with victims who died before completion of military justice action	0		
# Subjects still awaiting command action as of 31 May 12	1	# APY11-12 Cadet/Midshipman victims in cases where evidence supported Command Action	6
# Subjects for whom command action was completed as of 31 May 12	7	# Cadet/Midshipman Victims involved with Court-martial referrals (Initiations) against subject	3
# APY11-12 Cadet/Midshipman Subjects where evidence supported Command Action	7	# Cadet/Midshipman Victims involved with Nonjudicial punishments (Article 15) against subject	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred (Initiated)	3	# Cadet/Midshipman Victims involved with Administrative discharges against subject	1
# Cadet/Midshipman Subjects: Nonjudicial punishments (Article 15 UCMJ)	0	# Cadet/Midshipman Victims involved with Other administrative actions against subject	0
# Cadet/Midshipman Subjects: Administrative discharges	1	# Cadet/Midshipman Victims involved with Court-martial referrals for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Other adverse administrative actions	0	# Cadet/Midshipman Victims involved with Nonjudicial punishment for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with administrative discharges for non-SA offense	1
# Cadet/Midshipman Subjects: Non-judicial punishment for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with Other administrative actions for non-SA offense	1
# Cadet/Midshipman Subjects: Administrative discharges for non-sexual assault offense	1		
# Cadet/Midshipman Subjects: Other adverse administrative actions for non-sexual assault offense	2		
E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-APY11-12 INVESTIGATIONS	APY11-12 Totals	E1. ASSOCIATED VICTIM DATA FOR COMPLETED Pre- APY11-12 INVESTIGATIONS	APY11-12 Totals
(Prior year investigations completed in APY11-12)		# VICTIMS in investigations opened prior to APY11-12 and completed in APY11-12	0
# Total Number of Pre-APY11-12 Investigations pending completion at the end of APY11-12 (31 May 12)	0	# Cadet/Midshipman Victims in investigations opened prior to APY11-12 and completed in APY11-12	0
# Pre-APY11-12 Investigations STILL PENDING completion as of 31-May-12	0	# Total Pre-APY11-12 Victims associated with MCIO unfounded allegations	0
# Pre-APY11-12 Investigations completed of 31 May-12	0	# Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# SUBJECTS in Pre-APY11-12 investigations completed by 31-May-12	0	# Non-Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Cadet/Midshipman Subjects in Pre-APY11-12 investigations completed in APY11-12	0		
# Total Pre-APY11-12 Subjects with allegations unfounded by MCIO	0	# Cadet/Midshipman Victims in substantiated Unknown Offender Reports	0
# Cadet/Midshipman Subjects with allegations unfounded by MCIO	0	# Cadet/Midshipman Victims in remaining Unknown Offender Reports	0
# Non-Cadet/Midshipman Subjects with allegations unfounded by MCIO	0	# Cadet/Midshipman Victims in substantiated Civilian/Foreign National Subject Reports	0
# Total Pre-APY11-12 Subjects Outside DoD Prosecutive Authority	0	# Cadet/Midshipman Victims in remaining Civilian/Foreign National Subject Reports	0
# Unknown Offenders	0	# Cadet/Midshipman Victims in substantiated reports against a Cadet/Midshipman who is being Prosecuted by a Civilian/Foreign Authority	0
		# Cadet/Midshipman Victims in substantiated reports with a deceased or deserted subject	0
# US Civilians or Foreign National Subjects not Subject to the UCMJ	0	# Cadet/Midshipman Victims in remaining reports with a deceased or deserted subject	0
# Cadet/Midshipmen Prosecuted by a Civilian or Foreign Authority	0	# Cadet/Midshipman victims who declined to participate in the military justice action	0
# Subjects who died or deserted	0	# Cadet/Midshipman victims in investigations having insufficient evidence to prosecute	0
		# Cadet/Midshipman victims whose cases involved expired statute of limitations	0
# Total Command Action Precluded or Declined for Sexual Assault	0	# Cadet/Midshipman victims whose allegations were unfounded by Command	0
# Cadet/Midshipman Subjects where victim declined to participate in the military justice action	0	# Cadet/Midshipman victims who died before completion of the military justice action	0
# Cadet/Midshipman Subjects whose investigations had insufficient evidence to prosecute	0		
# Cadet/Midshipman Subjects whose cases involved expired statute of limitations	0	# Pre-APY11-12 Cadet/Midshipman Victims in cases where evidence supported Command Action	0
# Cadet/Midshipman Subjects with allegations that were unfounded by Command	0	# Cadet/Midshipman Victims involved with Court-martial referrals (Initiations) against subject	0
# Cadet/Midshipman Subjects with victims who died before completion of military justice action	0	# Cadet/Midshipman Victims involved with Nonjudicial punishments (Article 15) against subject	0
# Subjects still awaiting command action as of 31-May-12	0	# Cadet/Midshipman Victims involved with Administrative discharges against subject	0
# Subjects for whom command action was completed as of 31-May-12	0	# Cadet/Midshipman Victims involved with Other administrative actions against subject	0
# Pre-APY11-12 Cadet/Midshipman Subjects where evidence supported Command Action	0	# Cadet/Midshipman Victims involved with Court-martial referrals for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred (Initiated)	0	# Cadet/Midshipman Victims involved with Nonjudicial punishment for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Nonjudicial punishments (Article 15 UCMJ)	0	# Cadet/Midshipman Victims involved with administrative discharges for non-SA offense	0
# Cadet/Midshipman Subjects: Administrative discharges	0	# Cadet/Midshipman Victims involved with Other administrative actions for non-SA offense	0
# Cadet/Midshipman Subjects: Other adverse administrative actions	0		
# Cadet/Midshipman Subjects: Courts-Martial charge preferred for non-sexual assault offense	0		
# Cadet/Midshipman Subjects: Non-judicial punishment for non-sexual assault offense	0		
# Cadet/Midshipman Subjects: Administrative discharges for non-sexual assault offense	0		
# Cadet/Midshipman Subjects: Other adverse administrative actions for non-sexual assault offense	0		

\* Restricted Reports that convert to Unrestricted Reports are counted with the total number of Unrestricted Reports.





G. REPORTED SEXUAL ASSAULTS INVOLVING Cadet/Midshipman (BY or AGAINST Cadet/Midshipman) IN THE FOLLOWING CATEGORIES FOR ALL APY11-12 INVESTIGATIONS Note: The data in this section is drawn from raw, uninvestigated information about Unrestricted Reports received during APY11-12. These Reports may not be fully investigated by the end of the Academic Program year.	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Indecent Assault (Art. 134) (Pre-FY07)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault* (Art. 120) After June 28, 2012 this becomes "Sexual Assault"	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact* (Art. 120) After June 28, 2012, discontinue use of this category.	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	APY11-12 Totals
	Subject Data From Investigations Opened in Prior Years, but closed during APY11-12								Subject Data From Investigations Opened and Closed in APY11-12							
<b>I. DEMOGRAPHICS ON SUBJECTS IN INVESTIGATIONS COMPLETED IN APY11-12</b> Note: The information below is drawn from all investigations that were closed during APY11-12, and does not correspond to the data reported in sections F and G above.	1	1	0	0	0	0	0	0	4	0	0	0	5	0	0	11
<b>Gender of SUBJECTS</b>	1	1	0	0	0	0	0	0	4	0	0	0	4	0	0	10
# Male	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# Female	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	1	1	0	0	0	0	0	0	4	0	0	0	3	0	0	11
<b>Age of SUBJECTS</b>	1	1	0	0	0	0	0	0	4	0	0	0	5	0	0	11
# 16-19	0	1	0	0	0	0	0	0	3	0	0	0	2	0	0	7
# 20-24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 25-34	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 35-49	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 50-64	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 65 and older	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
# Unknown	1	1	0	0	0	0	0	0	4	0	0	0	5	0	0	11
<b>Subject Type</b>	1	1	0	0	0	0	0	0	3	0	0	0	5	0	0	10
# Service Member	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# DoD Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# DoD Contractor	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Other US Government Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# US Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Foreign national	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Foreign military	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
# Unknown	1	1	0	0	0	0	0	0	4	0	0	0	5	0	0	11
<b>Grade of SUBJECTS</b>	1	0	0	0	0	0	0	0	0	0	0	0	2	0	0	3
# 1st Year	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
# 2nd Year	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2
# 3rd Year	0	1	0	0	0	0	0	0	0	0	0	0	2	0	0	3
# 4th Year	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Active Duty Service Member	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Non-Service Member	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
# Unknown	1	1	0	0	0	0	0	0	3	0	0	0	5	0	0	10
<b>Service of Service Member SUBJECTS</b>	1	1	0	0	0	0	0	0	3	0	0	0	5	0	0	10
# Army	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Navy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Marines	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Air Force	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Coast Guard	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	1	1	0	0	0	0	0	0	3	0	0	0	5	0	0	10
<b>Status of Service Member SUBJECTS</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Active Duty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Reserve (Activated)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# National Guard (Activated - Title 10)	1	1	0	0	0	0	0	0	3	0	0	0	4	0	0	9
# Cadet/Midshipman	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
# Academy Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

\*NOTE: Pursuant to the Academic Program Year 2012 National Defense Authorization Act change to Article 120 of the Uniform Code of Military Justice, these categories will change on June 28, 2012.

## 2. Restricted Reports

United States Military Academy APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT	
<b>A. APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)</b>	<b>APY11-12 TOTALS</b>
<b># TOTAL victims initially making Restricted Reports</b>	<b>3</b>
# Cadet/Midshipman victims making Restricted Reports	3
# Non-Cadet/Midshipman, Adult Dependent and Service Member Victims making Restricted Report involving a Cadet/Midshipman Subject	0
<b># Total victims who converted from Restricted Report to Unrestricted Report in the current APY*</b>	<b>0</b>
# Cadet/Midshipman victims who converted from Restricted Report to Unrestricted Report in current APY	0
# Non-Cadet/Midshipman, Adult Dependent and Service Member Victims who converted from Restricted Report to Unrestricted Report in current APY	0
<b># TOTAL victim reports remaining Restricted</b>	<b>3</b>
# Cadet/Midshipman victim reports remaining Restricted	3
# Non-Cadet/Midshipman, Adult Dependent and Service Member Victim reports remaining Restricted	0
<b># Reported sexual assaults involving Cadet/Midshipman in the following categories</b>	<b>3</b>
# Cadet/Midshipman on Cadet/Midshipman	3
# Non-Cadet/Midshipman on Cadet/Midshipman	0
# Cadet/Midshipman on Non-Cadet/Midshipman (entitled to a RR by DoD Policy)	0
# Unidentified subject on Cadet/Midshipman	0
<b>B. INCIDENT DETAILS</b>	<b>APY11-12 TOTALS</b>
<b># Reported sexual assaults occurring</b>	<b>3</b>
# On Academy Grounds	1
# Off Academy Grounds	2
# Unidentified location	0
<b>Length of time between sexual assault and Restricted Report</b>	<b>3</b>
# Reports made within 3 days of sexual assault	3
# Reports made within 4 to 30 days after sexual assault	0
# Reports made within 31 to 365 days after sexual assault	0
# Reports made longer than 365 days after sexual assault	0
# Unknown	0
<b>Time of sexual assault incident</b>	<b>3</b>
# Midnight to 6 am	2
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	1
<b>Day of sexual assault incident</b>	<b>3</b>
# Sunday	0
# Monday	2
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	0
# Saturday	0
# Unknown	1
<b>C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION</b>	<b>APY11-12 TOTALS</b>
<b># Service Member VICTIMS</b>	<b>3</b>
# Army victims	3
# Navy victims	0
# Marines victims	0
# Air Force victims	0
# Coast Guard	0
# Unknown	0
<b>D. DEMOGRAPHICS FOR APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT</b>	<b>APY11-12 TOTALS</b>
<b>Gender of VICTIMS</b>	<b>3</b>
# Male	0
# Female	3
# Unknown	0
<b>Age of VICTIMS</b>	<b>3</b>
# 16-19	2
# 20-24	1
# 25-34	0
# 35-49	0
# 50-64	0
# 65 and older	0
# Unknown	0
<b>Grade of Service Member VICTIMS Grade</b>	<b>3</b>
# 1st Year	1
# 2nd Year	1
# 3rd Year	1
# 4th Year	0
# Prep School Student	0
# Service Member	0
# Unknown	0
<b>Status of Service Member VICTIMS</b>	<b>3</b>
# Active Duty	0
# Reserve (Activated)	0
# National Guard (Activated - Title 10)	0
# Cadet/Midshipman	3
# Academy Prep School Student	0
# Unknown	0
<b>VICTIM Type</b>	<b>3</b>
# Service Member	3
# DoD Civilian	0
# DoD Contractor	0
# Other US Government Civilian	0
# US Civilian (Service Member Dependent Over Age 18)	0
# Foreign national	0
# Foreign military	0
# Unknown	0
<b>E. RESTRICTED REPORTING FOR A SEXUAL ASSAULT THAT OCCURRED PRIOR TO JOINING SERVICE</b>	<b>APY11-12 TOTALS</b>
<b># Cadet/Midshipman VICTIMS making a Restricted Report for Incidents Occurring Prior to Military Service</b>	<b>0</b>
# Cadet/Midshipman Making a Restricted Report for an Incident that Occurred Prior to Age 18	0
# Cadet/Midshipman Making a Restricted Report for an Incident that Occurred After Age 18	0
# Cadet/Midshipman Choosing Not to Specify	0
<b>F. RESTRICTED REPORTS CONVERSION DATA (DSAID USE ONLY)</b>	<b>APY11-12 TOTALS</b>
Mean # of Days Taken to Change to Unrestricted	0
Standard Deviation of the Mean For Days Taken to Change to Unrestricted	0
Mode # of Days Taken to Change to Unrestricted	0
* The Restricted Reports are reports that converted to Unrestricted Reports are counted in the total number of Unrestricted Reports listed in Worksheet 1a, Section A.	

### 3. Victims Services

United States Military Academy APY11-12 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made.</i>	
<b>A. SUPPORT SERVICE REFERRALS TO CADET/MIDSHIPMAN AND SERVICE MEMBER VICTIMS FROM UNRESTRICTED REPORTS:</b>	<b>APY11-12 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY Resources (Referred by DoD)</b>	<b>23</b>
# Medical	3
# Mental Health	1
# Legal	4
# Chaplain/Spiritual Support	4
# Rape Crisis Center	0
# Victim Advocate/Uniformed Victim Advocate	11
# DoD Safe Helpline	0
# Other	0
<b># CIVILIAN Resources (Referred by DoD)</b>	<b>2</b>
# Medical	1
# Mental Health	1
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate	0
# DoD Safe Helpline	0
# Other	0
<b># Cases where SAFEs were conducted</b>	<b>3</b>
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	<b>0</b>
<b># Service Member victims making an Unrestricted Report for an incident that occurred prior to military service</b>	<b>0</b>
<b>B. APY11-12 MILITARY PROTECTIVE ORDERS (MPO)* AND TRANSFERS - UNRESTRICTED REPORTS</b>	<b>APY11-12 TOTALS</b>
<b># Military Protective Orders issued during APY11-12</b>	<b>0</b>
<b># Reported MPO Violations in APY11-12</b>	<b>1</b>
# Reported MPO Violations by Subjects	1
# Reported MPO Violations by Victims of sexual assault	0
# Reported MPO Violations by Both	0
<i>*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk for the victim.</i>	
# Unit/Duty transfer requests by Cadet/Midshipman victims of sexual assault	0
# Unit/Duty transfer requests by Cadet/Midshipman victims Denied	0
# Installation Transfer requests by Cadet/Midshipman victims of sexual assault	0
# Installation transfer requests by Cadet/Midshipman victims Denied	0
<b>C. SUPPORT SERVICE REFERRALS FOR Cadet/ Midshipman AND SERVICE MEMBER VICTIMS IN RESTRICTED REPORTS:</b>	<b>APY11-12 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY Resources (Referred by DoD)</b>	<b>8</b>
# Medical	2
# Mental Health	3
# Legal	3
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate/Uniformed Victim Advocate	0
# DoD Safe Helpline	0
# Other	0
<b># CIVILIAN Resources (Referred by DoD)</b>	<b>0</b>
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate	0
# DoD Safe Helpline	0
# Other	0
<b># Cases where SAFEs were conducted</b>	<b>0</b>
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	<b>0</b>
<b>CIVILIAN DATA</b>	
<b>D. SEXUAL ASSAULT SERVICES TO NON-SERVICE MEMBERS who were victimized by Cadet/ Midshipman Subjects (DOD CIVILIANS, DEPENDENTS, CONTRACTORS, ETC)</b>	<b>APY11-12 TOTALS</b>
<b># Non-Cadet/ Midshipman assisted in the following categories:</b>	<b>0</b>
# Cadet/ Midshipman on Non-Service Member	0
# Non-Cadet/ Midshipman on Non-Cadet/ Midshipman	0
# Unrestricted Subject or Unrestricted Offender on Non-Cadet/ Midshipman	0
<b>Gender of Non-Service Member Assisted</b>	<b>0</b>
# Male	0
# Female	0
# Unknown	0
<b>Age of Non-Service Member Assisted</b>	<b>0</b>
# 16-19	0
# 20-24	0
# 25-34	0
# 35-49	0
# 50-64	0
# 65 and older	0
# Unknown	0
<b>Non-Service Member Type</b>	<b>0</b>
# DoD Civilian	0
# DoD Contractor	0
# Other US Government Civilian	0
# US Civilian	0
# Foreign National	0
# Foreign Military	0
# Unknown	0
<b># Support service referrals for Non-Service Members in the following categories</b>	
<b># MILITARY Resources (Referred by DoD)</b>	<b>0</b>
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate/Uniformed Victim Advocate	0
# DoD Safe Helpline	0
# Other	0
<b># CIVILIAN Resources (Referred by DoD)</b>	<b>0</b>
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate	0
# DoD Safe Helpline	0
# Other	0
<b># Cases where SAFEs were conducted</b>	<b>0</b>
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	<b>0</b>

APY11-12 Sexual Assault Synopsis Report - United States Military Academy																			
No.	Offense Investigated	Location	Subject Grade	Subject Gender	Victim Grade	Victim Gender	Quarter Disposition Completed	Case Disposition	Court Case or Article 15 Outcome	Confinement	Fines and Forfeitures	Reduction in Rank	Court-Martial Discharge or Demerit	Restriction	Hard Labor or Extra Duty	Correctional Custody (NJP Only)	Adverse Administrative Action Type	Administrative Discharge Type	Case Synopsis
1	Rape	Off Academy Grounds	1st Year	Male	1st Year	Female	Q3	Court-Martial Charge Preferred (Initiated)											Court martial charges preferred, trial pending October 2012.
2	Aggravated Sexual Assault	On Academy Grounds	4th Year	Male	1st Year	Female	Q4	Probable Cause for Only Non-Sexual Assault Offense	YES								General		In Barracks. No alcohol. Subject invited the Victim to his room following consensual, nude video instant messaging session. Subject initiated sexual contact, which the Victim resisted. The Subject proceeded to engage in sexual activity. Subject was suspended from USMA with recommendation for separation for unrelated misbehavior. Separation date: 13 September 2012.
3	Rape	Off Academy Grounds	Civilian	Male	4th Year	Female	Q3	Unknown Subject											Victim was in New York City having dinner with a civilian friend. During the evening Victim and her friend met a few gentlemen at the bar they were dining at, and socialized with them. Victim went to a few more bars with these gentlemen. Victim did not remember at what point she passed out, but she woke up in hotel room with two of the gentlemen she had been drinking with that evening. One of the men was on top of her, and she said "No" and "Get Off," but the man raped her. She eventually pushed the man off of her and got out of the hotel room. She presented at the Keller Army Community Hospital Emergency Room and consented to SAFE exam. CID contacted the Manhattan Special Victims Unit. Victim elected not to cooperate with the investigation.
4	Wrongful Sexual Contact	On Academy Grounds	1st Year	Male	1st Year	Female	Q4	Administrative Discharge									General		Subject slapped the buttocks of Victim as she was returning to her room from the shower. CID investigation revealed the subject had entered another female cadets room on at least one occasion without her permission, and that he constantly "hit on her" and sometimes stood in her way, making her uncomfortable. CDT separated by HQDA in July 2012 following resignation in lieu of misconduct investigation.
5	Rape	On Academy Grounds	3rd Year	Male	3rd Year	Female	Q4	Court-Martial Charge Preferred (Initiated)											Court martial charges preferred, pending Article 32 hearing.
6	Rape	On Academy Grounds	2nd Year	Male	2nd Year	Female	Q4	Insufficient Evidence of Any Offense											Victim alleged that after chatting with subject on Facebook, the two decided to hang out. Victim went to subject's room at 2335, but he was not there. She left a note for him and returned to her room. At 0007 on 3 September 2011, the subject showed up at victim's room, and she let him in. After talking about their day, victim stated that the subject began to flirt. Subject began to touch the victim's breasts outside of her clothes. Victim told the subject to stop. Subject continued to massage the victim's breasts. The victim stood up and the subject led the victim backward, toward the victim's bed. The subject forcibly pinned the victim down by holding his arm across her chest and digitally penetrating her vulva with two of his fingers. After approximately one minute, the victim stated that she hit the subject in the chest and told him to leave. The victim stated that she hit the subject in what had happened. Insufficient evidence existed to establish probable cause of a sexual offense. The subject was received punishment under the Cadet Disciplinary System. Later, the subject was separated for academic failure.
7	Rape	On Academy Grounds	3rd Year	Male	3rd Year	Female	Q4	Cadet Disciplinary System (Initiated)											Victim and Subject were friends for three year stretching back to their time at the preparatory school. Victim invited subject to her room to talk, she could not leave her room because she was on restriction. After being in her room for a few minutes subject began groping victim. She told him to stop. He continued to touch her breast and buttocks and forcibly penetrated her with his fingers. Victim pushed subject off and he left her room. Victim spoke with her boyfriend who reported the assault to the Officer of the Day. The subject resigned in lieu of a Cadet misconduct hearing.
8	Wrongful Sexual Contact	Off Academy Grounds	3rd Year	Male	4th Year	Female	Q4	Court-Martial Charge Preferred (Initiated)	Conviction									UOTC	Victim and subject were on an academic trip section in government van. The victim awoke to the subject touching her thigh, buttocks, and hand, later the same day, the subject emailed to apologize and asked to meet victim in person to apologize. Court martial conviction in August 2012 resumed in being sentenced to a reprimand for two counts of assault consummated by battery.
9	Wrongful Sexual Contact	Off Academy Grounds	Prep School Candidate	Male	Civilian	Female	Q2	Probable Cause for Only Non-Sexual Assault Offense											After imbibing in alcoholic beverages at a house party, the subject allegedly initiated in undressing the 16-year old sister of a fellow Cadet Candidate. The victim retracted her statement. The subject received punishment for underage drinking.
10	Wrongful Sexual Contact	Off Academy Grounds	4th Year	Female	4th Year	Male		Administrative Discharge											Subject and victim previously dated, and following a break-up, continued to have arguments in front of others. They were under no-contact orders. Subject was found at a misconduct hearing to have assaulted (no-sexual) her by grabbing her hand at a Highland Falls bar, violating a no-contact order, and grabbing/slapping her buttocks at a Newburgh bar (wrongful sexual contact) on 10 February 2012. Subject's separation action is at HQDA for review. General Discharge recommended.
11	Wrongful Sexual Contact	Off Academy Grounds	4th Year	Male	4th Year	Female	Q4	Insufficient Evidence of Any Offense											Subject and victim previously dated, and following a break-up, continued to have arguments in front of others. They were under no-contact order. The victim's claim that the subject had groped or touched him was not substantiated by the CID investigation. No action was taken against the subject.

**Formal Sexual Harassment Reports at the US Military Service Academy APY11-12**

<b>A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:</b> <b>a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or</b> <b>b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or</b> <b>c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.</b>	<b>APY11-12 TOTALS</b>
<b>A. Formal Sexual Harassment Complaints (total)</b>	<b>2</b>
# Cadet/Midshipman Complainants	2
# Non-Cadet/Midshipman Complainants	0
<b>B. Location of Incident</b>	<b>2</b>
# On Academy Grounds	2
# Off Academy Grounds	0
# Unidentified location	0
<b>C. # Total Sexual Harassment Investigations opened during APY11-12</b>	<b>2</b>
# Investigations pending completion as of 31 May 12	0
<b># Completed investigations as of 31 May 12</b>	<b>2</b>
<b>D. Sexual Harassment Details - Length of time between incident and formal report</b>	<b>2</b>
# Reports made within 60 days of the sexual harassment	2
# Reports made more than 60 days following the sexual harassment	0
# Unknown	0
<b>E. # Reports forwarded to General Court Martial Convening Authority</b>	<b>2</b>
# Reports forwarded to GCMCA within 72 Hours	2
# Reports forwarded to GCMCA beyond 72 Hours	0
<b>F. Time of Sexual Harassment Incident</b>	<b>2</b>
# Midnight to 6 am	0
# 6 am to 6 pm	1
# 6 pm to midnight	1
# Unknown	0
<b>G. Day of Sexual Harassment Incident</b>	<b>2</b>
# Sunday	1
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	1
# Saturday	0
# Unknown	0
<b>H. # APY11-12 COMPLETED INVESTIGATIONS</b>	<b>2</b>
# Investigations with more than one complainant, more than one subject, or both	0
<b># of Subjects in Completed Investigations</b>	<b>2</b>
<b>I. APY11-12 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS</b>	<b>2</b>
# Subjects with Unsubstantiated Complaints	1
# Pending command action as of 31 May 11	0
<b># Subjects for whom command action was completed of 31 May 12</b>	<b>1</b>
<b>J. # Commander Actions (APY11-12 Subjects)</b>	<b>2</b>
# Courts-martial	0
# Nonjudicial Punishments	0
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Cadet Disciplinary System Actions	1
# Other adverse administrative actions	1

**Synopses of Formal Sexual Harassment Investigations Involving Cadets/Midshipmen**

<b>Number</b>	<b>Month Closed</b>	<b>Subject Status</b>	<b>Subject Gender</b>	<b>Complainant Status</b>	<b>Complainant Gender</b>	<b>Initial Allegation Reported</b>	<b>Misconduct Charged</b>	<b>Disposition</b>	<b>Brief Synopsis of Incident and Outcome</b>
1	Apr-12	Cadet	Male	Cadet	Male	Cadet X reported that his roommate, Cadet Y, has made him feel uncomfortable on several occasions by his actions.	Communicating a threat.	Substantiate.	According to Cadet X, Cadet Y has touched him on several occasions to include his arm, chest, and side by stroking or tickling him. Cadet X also reported that Cadet Y has made verbal comments to him such as "he would break him in before the end of the semester" and also indicated verbally that he would rape him. CDT Y was enrolled in the Respect Mentorship Program, pending the results of a Misconduct Investigation. He was subsequently separated.
2	Feb-12	Active Duty - NCO	Male	Cadet	Female	CDT X detailed events that occurred over the previous 12 months where she felt she was treated differently based on her gender and that SFC Y had created a hostile environment.		Unsubstantiated sexual harassment complaint.	CDT X brought up three instances where SFC Y made her feel uncomfortable and believed that he was being unprofessional and conducting himself inappropriately. She stated that in Spring Semester 2011, SFC Y walked into the female latrine on two separate incidents and saw her naked once in the shower and once getting out of the shower. During Fall Semester, 2012, SFC Y conducted what she believed to be a room search in which he noticed some supplements that she had in the back of one of her drawers. CDT X believes that there was not any reason for the search and was not notified by her Company Security Officer of any security checks. On January 2012, SFC Y had what she believed to be an inappropriate conversation with her about her boyfriend and marriage. SFC Y was suspended from his duties, counseled, received a letter of reprimand and per CDT X's request, she was moved to a different company.

**ENCLOSURE 2:**

**UNITED STATES NAVAL ACADEMY  
SELF-ASSESSMENT**





THE UNDER SECRETARY OF THE NAVY  
WASHINGTON DC 20350-1000

**ACTION MEMO**

FOR: DIRECTOR, DEPARTMENT OF DEFENSE SEXUAL ASSAULT  
PREVENTION AND RESPONSE OFFICE

FROM: Robert O. Work, Under Secretary of the Navy

*Robert O. Work* 11/27/12

SUBJECT: Department of Defense Annual Report on Sexual Harassment and  
Violence at the U.S. Military Service Academies

- TAB A constitutes the United States Naval Academy's Submission to the Academic Program Year (APY) 2011-2012 Report on Sexual Harassment and Violence.
- This report is due to Congress on 31 December 2012.
- This report is to be transmitted for submission to the Committees on the Armed Services of the Senate and the House of Representatives in accordance with Section 532 of Public Law No. 109-364.

RECOMMENDATION: Consolidate TAB A into the APY 2011-2012 Report on Sexual Harassment and Violence at the U.S. Military Service Academies and submit the report to the Senate and House Committees on Armed Services.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

COORDINATION: TAB B

Attachments:

As stated

Prepared by: LtCol Thomas Witczak, DON-SAPRO, (703) 614-5729



# **Academic Program Year 2011-2012 Annual Report on Sexual Harassment and Violence at the Military Service Academies: U.S. Naval Academy (USNA)**

## **Programmatic Data**

The purpose of this report is to determine the effectiveness of policies, training, and procedures of the Academy with respect to sexual harassment and violence involving Academy personnel for Academic Program Year (APY) 2011-2012.

Note: The APY 11-12 is specifically from June 1, 2011 to May 31, 2012

## **Executive Summary**

The prevention and eventual elimination of sexual harassment, sexual misconduct, alcohol misuse, sexual assault and gender bias remain a top priority at the U.S. Naval Academy. There is continued strong support from the Superintendent, the Commandant of Midshipmen and their staffs, as well as the Brigade of Midshipmen leadership to focus on leadership, ownership, and standards in fostering a command climate of dignity and respect that encourages high levels of individual and professional ethical behavior, empowerment of Midshipmen to promote cultural change, exercise responsibility, and address unprofessional behaviors that contribute to the "spectrum of sexual harm" and ultimately prevent them.

The United States Naval Academy demonstrates its clear commitment to both the spirit and intent of the Department of Defense and the Department of the Navy Sexual Assault Prevention and Response (SAPR) Programs by continuing to improve its primary prevention program known as the Sexual Harassment Assault Prevention Education Program (SHAPE), providing timely and effective training for the faculty and staff, the Brigade of Midshipmen, Victim Advocates, Midshipmen SHAPE peer educators, Sexual Assault Response Guidance, Understanding, Information, Direction, Education (GUIDE) educators, and other internal and external stakeholders in the prevention and response programs in a continuing effort to improve communications and increase program effectiveness.

## 1. Program Overview

### 1.1. Prevention of Sexual Harassment (POSH) and Sexual Assault Prevention and Response (SAPR)

- USNA SAPR program is overseen by an active duty Navy Captain Sexual Assault Response Coordinator (SARC) and active duty Navy Lieutenant Commander Deputy SARC (DSARC), assisted by three full-time civilian staff to include the Director of Education and Clinical Services (DECS), Training Specialist, and Senior Victim Advocate. The USNA SAPR office is responsible for the overall SAPR program for both the Brigade of Midshipmen and members of the faculty and staff. The SARC works directly for the Office of the Superintendent and coordinates closely with the Office of the Commandant of Midshipmen in the execution of her duties.
- USNA POSH program is overseen by the Equal Opportunity Advisor (EOA) who, like the SARC, works directly for the Office of the Superintendent, and coordinates closely with the Office of the Commandant of Midshipmen. The EOA oversees the overall USNA POSH program with assistance from the Brigade, Faculty and Staff Command Managed Equal Opportunity (CMEO) Managers and assistants.
- Authorizing regulations for both SAPR and POSH include the following external and local directives:
  - COMDTMIDNINST 1752.1E Sexual Assault Prevention and Response (SAPR) Program (11JUL11)
  - COMDTMIDSINST 5354.1A Equal Opportunity (EO) Program for the Brigade of Midshipmen (29JUN04)
  - USNAINST 1752.2B Sexual Assault Prevention and Response (SAPR) Program (23JUN11)
  - USNAINST 5354.1A Command Managed Equal Opportunity (CMEO) Program (09FEB09)
  - USNAINST 5354.5C Prevention and Deterrence of Sexual Harassment, Misconduct and Assault (23JUN11)
  - USNAINST 12713.7A Sexual Harassment Discrimination (08JAN90)
  - OPNAV 1752.1B Sexual Assault Victim Intervention (SAVI) Program (29DEC06)
  - OPNAV 5354.1F CH-1 Navy Equal Opportunity Policy (20SEP11)
  - OPNAV 5800.7A Victim and Witness Assistance Program (VWAP) (04MAR08)
  - SECNAV 1752.4A Sexual Assault Prevention and Response (01DEC05)
  - SECNAV 5300.26D Department of the Navy (DON) Policy on Sexual Harassment (03JAN06)
  - SECNAV 5350.16A Equal Opportunity (EO) within the Department of the Navy (18DEC06)

## 2. Institutionalize Prevention Strategies in the Military Community

### 2.1. Policies, Training and Procedures

- Sustained program continuity by ensuring the SARC, DSARC, Victim Advocates, Faculty Liaisons, Midshipmen Sexual Assault Response (SAR) GUIDEs, Midshipmen SHAPE peer educators, and legal support personnel maintained current training and qualification standards.
- Increased prevention and response efforts and progress related to sexual harassment and assault in a greater variety of forums such as Reform and summer training briefs to the Brigade of Midshipmen, outreach efforts to Naval Academy Athletic Association (NAAA) staff (coaches, trainers, therapists), Blue and Gold Officers (admissions), USNA Sponsor families, newly reporting faculty and staff, Company Officers, and Senior Enlisted Leaders.
- Provided the opportunity for Midshipmen SAR GUIDEs to continue their SAPR education and qualify as Victim Advocates prior to their transfer to the Fleet.
- Continued exit interviews with female Midshipmen separating from the Academy and added interviews for male Midshipmen to ascertain their perceptions of the command climate, providing a final opportunity to report incidents of sexual harassment and assault and determine if their departure is gender related.
- Assisted in the administration of the DoD Service Academies Gender Relations Focus Groups in April 2012.
- Increased recruiting efforts in order to expand the number of Midshipman SAR GUIDEs and successfully qualified over 50 Midshipmen in preparation for APY 12-13, an increase of approximately 30 percent over previous years.
- Continued reinforcement by the Superintendent and Commandant of Midshipmen of USNA's support of SAPR and POSH policies, a culture of "Dignity and Respect," during Superintendent and Commandant "calls" with the Brigade of Midshipmen throughout the academic year.
- Continued improvement to the USNA SAPRO website in order to provide better clarity and ease of use, increased information (FAQs) and the inclusion of an "Ask the SARC" function which allows users (primarily aimed at Midshipmen) the ability to ask questions, or provide commentary either anonymously (with no direct response to the sender available), one-on-one response (non-public), or fully public responses via the associated internal blog directly to the SARC.

- Continued efforts in ensuring the SHAPE program provides both the Midshipmen peer educators and the Brigade at large the most relevant information with respect to sexual harassment and assault. SHAPE specifically includes education on risk reduction, myth deconstruction, bystander intervention, leadership responsibilities and legal aspects of sexual harassment and assault. Specifically:
  - Integrated Midshipmen First Class (1/C), or senior year, SHAPE topics into the Capstone program to leverage the fleet experience of the senior enlisted and officers that facilitate and monitor each Capstone session. This is achieved through the use of vignettes coupled with discussion, problem definition, command climate, courses of action and conflict resolution with respect to sexual harassment and assault from the leadership perspective.
  - Midshipmen Fourth Class (4/C) continue to receive 4 hours of SHAPE instruction each APY (2 hours per semester)
  - Midshipmen Third Class (3/C) continue to receive 3 hours of SHAPE instruction each APY (2 hours in the fall semester and 1 hour in the spring)
  - Midshipmen Second Class (2/C) continue to receive 2 hours of SHAPE instruction each APY (1 hour each semester)
  - SHAPE lesson topics are further reinforced through the use of guest speakers or performances such as Sex Signals, 1-in-4, Ms. Anne Munch and Coach Joe Ehrmann throughout the academic year.
  - All Midshipmen receive SHAPE instruction (appropriate to their year group) through the regularly scheduled sessions, make-up sessions or in certain instances, one-on-one (face to face) sessions to ensure full exposure to the program.
  
- USNA maintains a robust relationship and frequent interaction with SAPR experts such as Dr. John Foubert, Dr. Christopher Kilmartin and Dr. Gail Stern to enhance USNA's education efforts from both leadership and cultural perspectives.
  
- USNA SAPRO maintains productive information exchanges with the Anne Arundel Sexual Assault Response Team (SART) and other local sexual assault and domestic violence organizations such as the Maryland Coalition Against Sexual Assault (MCASA), the Rape, Abuse and Incest National Network (RAINN) (and through them access to local intervention centers), and YWCA Annapolis.
  
- USNA SAPRO regularly provides program information and support to the USNA Public Affairs Office when addressing inquiries from local and/or national news media, and provides consultation in support of various POSH or SAPR related articles presented in the USNA electronic newspaper, "The TRIDENT."

### 3. Increase Climate of Victim Confidence Associated with Reporting

#### 3.1 Increase Reporting

- Active involvement from all levels of the USNA Chain of Command in the consistent and positive reinforcement towards a culture of “Dignity and Respect,” “Ownership and Standards,” the promotion of sexual assault awareness and prevention, the continuation of efforts to build an honor and ethical foundation for Midshipmen by focusing on leadership, unity, constituency and community therefore ensuring a safe, professional environment.
- Reporting and available care options are publicized through the USNA SAPRO website, SHAPE, and a variety of briefings to the Midshipmen, faculty and staff, sponsor parents, Blue and Gold Officers, Midshipmen Team Captains (new initiative) and are integrated into SHAPE peer educator and SAR GUIDE qualification requirements, as well as training for Victim Advocates, Faculty Liaisons, Healthcare personnel and Command Chaplains.
- Initiation of a new program, “SAPR Safe Space,” whereby trained and qualified first responders (e.g., SAPRO staff, Chaplains, Midshipmen Development Center personnel, Faculty Liaisons, Victim Advocates, and Midshipmen SAR GUIDEs) are provided with an easily identifiable “Safe Space” plaque to place on their room or office door that indicates the area is a place that a Midshipman can receive confidential sexual harassment or assault assistance and be guided into the POSH and/or SAPR system appropriately.
- Conducted monthly multi-disciplinary Sexual Assault Case Management Group (SACMG) meetings to review and track progress on current open cases, facilitate program updates, discuss process improvements, share ideas and ensure program accountability and victim access to services.
- Conducted quarterly Victim Advocate training meetings, ensuring Victim Advocates have the opportunity to share new ideas, discuss system processes, share recent experiences and lessons learned, recommend process improvements, provide information on policy changes (USNA, DoN and DoD) in order to continue to ensure consistency of response, maximize support, and increase timeliness whenever possible.
- Confidentiality continues to be a priority and has been successfully maintained within the SAPRO organization and Chain of Command. Affording people dignity and respect with an emphasis on both the victim and accused; suspension of judgment or opinions; control of rumors and misinformation; and avoiding speculation are stressed for all Midshipmen, faculty, and staff.
- Feedback through SHAPE website, SHAPE peer educators, SAR GUIDEs, “Ask the SARC,” or directly to SAPRO staff via email or phone is encouraged; and responded to appropriately.

## 4. Improve Sexual Assault Response

### 4.1 Improve Response

- Response is provided 24/7 with an on-call SAR Guide (academic year only), Victim Advocate, Senior Victim Advocate (VA), and SARC. Contact information is available via the SAPRO website and provided to key watch stations as a ready reference.
- USNA has trained one EOA, two CMEOs, one SARC, one DSARC, one Senior VA (full-time civilian), ten VAs, and 51 SAR GUIDEs. Training included initial qualification training (e.g., 40 hours for VA, 18-20 hours for SAR GUIDEs). Refresher training for VAs is scheduled quarterly (10 hours), approximately twice per semester for SAR GUIDEs (10 hours), and annually (2 hours) for faculty and staff liaisons.
- Chaplains, ministry support staff, and medical personnel/healthcare providers receive approximately 2 hours of annual refresher training from the SAPRO staff. Training is normally conducted in a small group format. One-on-one training is available for personnel who are unable to attend a regularly scheduled session.
- Several options for victim transportation are available to VAs in the event that transportation is required; ambulance (emergencies) or access to one of several duty vehicles located on the Yard. Vehicles are available 24/7.
- Durable, plastic information cards with phone numbers and information on restricted and unrestricted reports are provided to all Midshipmen during Plebe summer and are available upon request if lost.
- In preparation for summer training events, Midshipmen Liaison Officers (MLOs) stationed at the major Fleet Concentration Areas (e.g., Norfolk, San Diego, etc.) are provided first responder training (1 hour) and given pertinent information and contact information for USNA SAPRO and local Fleet and Family Service Center (FFSC) resources in case of an incident of sexual harassment or assault occurs during the summer training period.
- In preparation for the arrival of the Freshman Class, USNA SAPRO provides first responder training (1 hour) to all Midshipmen Plebe Summer Detailers. Detailers are provided first responder training and provided pertinent information and contact information for USNA SAPRO resources as a ready reference.
- Advertise available training dates and location for upcoming VA Training to all faculty and staff, interview applicants, and facilitate course registration for volunteers. Once screened, prospective VAs are encouraged to take part in quarterly training and included in all communications relating to their duties.

- USNA does not specifically train criminal investigators, law enforcement, or Naval Health Clinic Annapolis personnel as these individuals receive their training from the Naval Support Activity (NSA) Annapolis SARC with whom the USNA SARC maintains a close working relationship and mutual cooperation.

## 5. Improve System Accountability

5.1 USNA executes its oversight of programs supporting the prevention of and response to sexual harassment and assault primarily and through its SAPR and CMEO offices, which report directly to the Superintendent.

- The SAPRO is headed by a Navy Captain that serves as the SARC for the entire command. The SARC is assisted by four full-time staff members, including a Lieutenant Commander DSARC, a Director of Clinical Services and Education (GS-12 civilian), a Training Specialist (GS-11 civilian), and a Senior VA (GS-10 civilian). Additionally, the SAPRO is augmented by a full-time Professor of Sociology from the Department of Leadership, Ethics, and Law who assists with education program assessment and academic research related to the culture of sexual assault.
- The CMEO program is overseen by the EOA who reports directly to the Superintendent and has a CMEO (E-8) responsible for the faculty and staff, and a CMEO (Lieutenant) responsible for the Brigade of Midshipmen.

## 5.2 System Accountability Synopsis

- Program management reviews:
  - Annually through the participation and review of Defense Manpower Data Center (DMDC) survey and focus group results.
  - Annually through the DoD APY Reports on Sexual Harassment and Violence at the U.S. Military Academies.
  - Bi-annual visit from DoD and DoN SAPRO.
  - Annual Command Climate Surveys.
- Comprehensive metrics to collect, analyze, and report on program improvements.
  - Fourth Class Midshipmen are provided an opportunity to participate in a questionnaire to measure rape myth acceptance among the USNA student body. This baseline data will be compared to data collected as part of their 1/C Capstone sessions to enable USNA to determine the effectiveness of sexual harassment and prevention education.
  - Data is collected through DMDC surveys and focus group.
  - "Knowledge level" questions are used during Midshipman 2/C SHAPE sessions in the Spring semester to measure knowledge accuracy, depth, and level of retention.

- Standardized SAPR/POSH requirements, terminology, protocols, and guidelines for instructional materials.
  - Incorporated into Midshipmen Qualification Standards (MQS), a professional development program that extends throughout the four year Midshipman education and development continuum.
  - Ensure consistency of training across SAR GUIDEs, SHAPE Peer Educators, Victim Advocates, Faculty Liaisons, CMEOs, as well as Faculty and Staff.
  
- Research and data collection activities that have taken place at the Naval Academy during the past fiscal year:
  - Voluntary baseline survey of all incoming freshmen with respect to their views on sexual harassment and assault. (August 2011 and 2012). The goal is to compare to similar data from seniors in order to assist in improving the SHAPE program and assisting with overall strategic communications from the SAPR and CMEO offices.
  - Command Climate survey.
  - DMDC Survey (April 2012).

## 6. Improve Knowledge and Understanding of SAPR

### 6.1. Stakeholders

Internal: Superintendent, Commandant of Midshipmen, Brigade of Midshipmen, Faculty and Staff (Military and Civilian).

External: Congress, USNA Board of Visitors, DoN, Alumni, Parents and Guardians, Sponsor Families.

- Continue to increase awareness of sexual harassment and assault across the stakeholder spectrum through both focused and recurring training; increase access to SAPR material through the USNA intranet and internet; increase outreach to various groups in a continuing effort to “level the playing field;” update information on sexual harassment and assault and associated DoD, DoN and USNA policies.
  
- Collaboration includes interaction with the local Sexual Assault Response Team, Maryland Coalition Against Sexual Assault, other Military Service Academies, and other USNA Departmental points of contact.

**6.2.** Please describe the policies, training, procedures, and initiatives implemented or advanced during APY 11-12 to inform and educate the stakeholders listed above about sexual harassment and sexual assault.

- Continued to heighten faculty, staff, and support personnel prevention and response awareness through focused recurrent training and ready access to



pertinent information.

- Continued to upgrade the USNA SAPRO intranet website for ease of navigation and additional features that provide facts, points of contact, and one-click access for Midshipmen, faculty, and staff.
- Increased collaboration between Brigade CMEO, Faculty and Staff CMEO, EOA, and Diversity Office.
- Implemented an overview of the USNA SAPR program to all freshmen within the first 14 days of reporting. Additional training is conducted after a short period of time (1-2 weeks) with a presentation by a member of the SAPRO staff to reinforce prevention and response information, respond to any questions or comments, and provide subject clarification regarding the material previously presented.
- Increased and more in-depth SAPR refresher training targeting Company Officers and Senior Enlisted Leaders, including a panel of Ensigns to respond to questions and provide commentary from their point of view as recently graduated Midshipmen.

## 7. Data for Cadet/Midshipman Reports

7.1. The total number of reports of sexual assault involving Midshipmen decreased from 22 in APY 10-11 to **13** in APY 11-12. There was one report of sexual assault involving faculty and staff.

Reports of Sexual Assault involving Midshipmen	Restricted	Unrestricted	Restricted to Unrestricted	Total Reports
APY 2010-2011	12	10	5	22
APY 2011-2012	6	<b>7</b>	2	<b>13</b>

### Unrestricted Reports:

- During APY 11-12, **9** Unrestricted sexual assault reports were initiated for investigation (two of which were restricted reports that were converted to unrestricted). Of those **9** Unrestricted reports, there were **9** victims, with **8** of those victims being Cadet/Midshipman.
- Offenses for these **9** cases were **3- Rape, 2- Aggravated Sexual Assault, 1- Abusive Sexual Contact, 2- Wrongful Sexual Contact, and 1- Non-Consensual Sodomy.**
- During APY 11-12, **13** cases were completed with **15** subjects (4 cases were current APY 11-12 cases, while **9** cases were open prior to APY 11-12 but completed during APY 11-12).
- Of those **15** subjects, only **1** subject is still awaiting command action as of

31May12.

- Dispositions for the 14 remaining subjects are 2- Unknown Offenders, 2- Victim Declined to Participate in the Military Justice Action, 4- Insufficient Evidence to Prosecute, 1- Unfounded by Command, 1- US Civilian Subject Not Subject to the UCMJ, 2- Courts-Martial, 1- Nonjudicial Punishment, and 1- Other Adverse Administrative Action.

#### Sexual Harassment:

Reports of Sexual Harassment	Formal	Informal	Total Reports
APY 2011-2012	0	10	10

- Out of 10 informal reports, 6 were Midshipmen accused by Midshipmen. Of these cases, two were resolved through the Conduct System and awarded Dignity and Respect (DNR) remediation and four were resolved through the Informal Resolution System.
- Two reports were Midshipmen accused by civilians. Of these cases, one was unfounded, and one was resolved through the Conduct System and awarded DNR.
- Two reports were Midshipmen accused by active duty service members. Of these cases, one was unfounded, and one was resolved through the Conduct System for intentional false claim.

### 8. Gender Relations Survey

8.1. Results of the survey were not available for this report.

8.2. See above.

### 9. Plans for APY 12-13

#### 9.1 Courses of Action for APY 12-13

- Review the latest DMDC survey data for recommendations and best practices.
- Continue to meet annually with SARCs, VAs and law enforcement personnel (e.g., NCIS, CID etc.) from the other service academies to share ideas, resolve common issues, discuss lessons learned, and target potential practices for inclusion into USNA's SAPR and POSH programs.
- Incorporate Midshipmen CMEOs into Midn SHAPE Peer Education Program during the summer to ensure equal training across functionality with respect to Sexual Harassment.

- Continue quarterly service academy VTCs.
- Development and inclusion of a “healthy relationships” piece for incorporation into the SHAPE curriculum.
- Continue to find new and innovative ways to measure knowledge levels and retention of material.
- Continue to implement the recommendations from previous and future *Department of Defense Sexual Assault Prevention and Response Office (SAPRO) Annual Reports on Sexual Harassment and Violence at the U.S. Military Academies*, DMDC Surveys, and Focus Group results.
- USNA executes its oversight of programs supporting the prevention and response of sexual harassment and assault primarily through its SAPR and CMEO offices, which report directly to the Superintendent.
  - The SAPRO is headed by a Navy Captain that serves as the SARC for the entire command. The SARC is assisted by four full-time staff members to include a Lieutenant Commander DSARC, a Director of Clinical Services and Education (GS-12 civilian), a Training Specialist (GS-11 civilian), and a Senior VA (GS-10 civilian). Additionally, the SAPRO is augmented by a full-time Professor of Sociology from the Department of Leadership, Ethics, and Law who assists with education program assessment and academic research related to the culture of sexual assault.
  - The CMEO program is overseen by the EOA. The EOA reports directly to the Superintendent and has a CMEO (E-8) responsible for the faculty and staff, and a CMEO (Lieutenant) responsible for the Brigade of Midshipmen.

## 10. Status of Past Action Items and Recommendations in previous reports

### 10.1 Action Items:

Implement the APY 10-11 and remaining APY 08-09 recommendations (pg. 22):

#### APY 08-09

- Identify full-time replacements for the EOA and CMEO.
  - Completed September 2011.

## APY 10-11

- Assess the feasibility of implementing the commendations of other academies (pg. 23).
  - Implemented June 2012. Quarterly conference calls ongoing. Annual SARC Conference held at USNA 13-14 September 2012. Conference calls and F2F meetings will facilitate sharing of operational norms, best practices, and allow for discussion of commendations, new ideas, formats, and collaborative ideas that can be taken back to each Military Service Academy (MSA) to see how or if they fit into an existing program or can be implemented to enhance an existing program.
- Continue to hold the SAPR MSA Conference and include sexual harassment and academy Military Criminal Investigating Organization (MCIO).
  - Complete. USNA hosted MSA Conference 13-14 September 2012.
- Establish quarterly conference call with MSA SAPR and POSH program personnel (pg. 23).
  - Complete. Initial conference call conducted 13 June 2012. Follow-on call in planning for 01 December 2012. (MSA Conference covered 4<sup>th</sup> quarter call).
- Review SHAPE training to identify areas for naval officer incorporation (pg. 50).
  - Complete. USNA SAPRO coordinated with Character Development and Training (CD&T) department personnel to successfully conduct several trial vignettes as part of the CAPSTONE program in the spring semester APY 11-12. Vetted vignettes (3) have been incorporated into the Fall APY 12-13 Capstone program for all 1/C Midshipmen.
- Incorporate USNA SAPRO in 21<sup>st</sup> birthday celebration and have gender-neutral limits on drinks (pg. 51).
  - Complete. All participants authorized up to three drinks regardless of gender as of October 2011. SARC has met with law enforcement personnel that are present during the celebration to incorporate elements of sexual assault awareness along with alcohol awareness into the event.
- Develop outcome based metrics for prevention training (pg. 51).
  - Planned. Metric development in progress (completion fall semester APY 12-13). Implementation planned for spring semester APY 12-13 during regularly scheduled SHAPE training.
- Continue to recruit volunteer Midshipmen SAR GUIDEs with goal of two per company, one male, one female (pg. 58).
  - In progress. Recent recruitment efforts for APY 12-13 resulted in 51

qualified Midshipmen SAR GUIDEs. USNA will continue steady strain approach to reach recommended goal. Since GUIDEs are volunteer Midshipmen, this will be a continuing process across future APYs.

- Address collateral misconduct misperceptions in training (pg. 59).
  - Complete. Collateral misconduct misconceptions have been, and will continue to be, addressed to the Brigade during SAPRO brief presented at various points during the year (e.g. pre-cruise brief, and Plebe indoc). Also reinforced as part of the SAPR-L training presented to each company August through September 2012.
- Evaluate all reasons for not reporting and address in training and education materials (pg. 59).
  - Complete. Discussed as part of Midshipmen Second Class SHAPE sessions. Also addressed during regularly scheduled SAPR briefs that occur throughout the year to a wide audience in addition to the Brigade.
- Require all Midshipmen Development Center (MDC) licensed providers to submit treatment summary and/or enter into consultation with Naval Health Clinic Annapolis (NHCA) personnel prior to discussing their sexual assault history with NHCA providers (pg. 62).
  - Complete. Midshipmen are counseled to contact their MDC counselor if they are sent to NHCA or NMCC Bethesda for psychological evaluation (for any reason) so that MDC can contact the Health Care Professional (HCP) and provide a treatment summary in order to prevent retraumatization. All patients referred directly from MDC for psychological evaluation have their treatment summary provided to the HCP prior to the NHCA/NMCC appointment. Communication between MDC, NHCA, NMCC and the Brigade Medical Unit (BMU) continue to improve, ensuring patient confidentiality and improving patient care.
- Update MDC local operating procedures and intake documentation (pg. 63).
  - Complete. Informed consent form now provided to every Midshipman upon initial entry into MDC. Midshipmen must understand and agree to conditions in order to participate in counseling. Consent form is provided in written form for the Midshipmen to review and is reviewed verbally with the assigned counselor prior to starting the initial session.
- Appoint a Victim Witness Liaison Officer (VWLO) and implement VWLO recommendations from the APY 08-09 report (pg. 63).
  - Complete. Position filled by personnel in the Commandant's legal office. Currently, NCIS Agent issues 2701 during the initial victim interview, and provides USNA Victim Witness Assistance Coordinator (VWAC) contact information to victim. USNA VWAC then establishes contact with victims and coordinates with the VWLO at the DSO Naval District Washington in cases of sexual assault that involve trial counsel.

- Identify a solution for reliable, expedient resources for Sexual Assault Forensic Exams (SAFE) and transportation for victims to receive SAFE (pg. 64).
  - Complete. Forensic Nurse Examiner services available at one of three medical centers in the Baltimore-Annapolis area. VAs have 24 hour access to an official vehicle for the transportation of victims to the appropriate medical center.
- Ensure victim's commander personally attends the Sexual Assault Case Management Group (SACMG) (pg. 66).
  - Complete. Unrestricted cases are briefed to the Deputy Commandant, Commandant, and Chief of Staff and when appropriate, Company Officers and Senior Enlisted Leaders directly by the SARC.
- Include the Alcohol and Substance Abuse Officer in the SACMG (pg. 66).
  - Complete. On standing attendee list.
- Consolidate all POSH and SAPR outcome data and metrics into a single product organized by the Department's strategic priorities (pg. 67).
  - Implementing. Currently basic sexual assault alcohol related statistics, exit interview information, alcohol incident statistics, sexual misconduct, and sexual assault statistics are provided to the USNA Chain of Command and presented at the SACMG. SAPRO will continue to use the DMDC survey/focus group information and continue work with ADEO/CMEO to leverage annual Brigade climate survey information for trend analysis.
- The VWLO contact information should be listed as a resource to victims on all published SAPR materials (pg. 71).
  - Complete. VWAC contact information is listed on the SAPRO website, provided to victims by the SARC as part of reporting procedures, provided during initial NCIS interview, and follow-up contact by VWAC is performed.
- The current VWLO should receive SAPR and VWLO training as soon as possible. The VWLO is new to his current position and has yet to receive victim witness assistance training or formal SAPR training (pg. 71).
  - In progress. VWAC recently transferred. Individual temporarily acting as VWAC has completed SAPR training and local VWAC training. Incoming replacement had been identified and will receive proper training prior to assuming duties.
- NCIS should provide the VWLO with sexual assault victim contact information in order to engage the victim as soon as possible after the report is received (pg. 71).
  - Complete. VWAC contact information available. NCIS, SARC, VWAC also work closely with respect to each case and further coordinate, at monthly

SACMG, to ensure continuity of service.

- USNA SARC should train appropriate off-base hospital personnel on the correct procedures for mailing SAFE kits to the NCIS Consolidated Evidence Facility in Norfolk, VA.
  - In progress. Initial guidance provided and future training pending.
- USNA must provide the Anne Arundel Medical Center with DoD SAFE kits and protocols. They are currently using SAFE kits provided by the State of MD, which are different and may not meet DoD standards.
  - Complete. Anne Arundel has 3 DoD SAFE kits.

<b>ACADEMIC PROGRAM YEAR 2011 - 2012 SUMMARY OF UNRESTRICTED SEXUAL ASSAULT REPORTS INVOLVING CADETS/MIDSHIPMEN</b>	<b>APY11-12 Totals</b>
<b>Total Cadet/Midshipman victims in all investigations closed in APY11-12*</b>	<b>13</b>
<b>Cadet/Midshipman victims whose reports of sexual assault could be substantiated*</b>	<b>6</b>
<b>Total Cadet/Midshipman subjects in all investigations closed in APY11-12</b>	<b>7</b>
<b>Cadet/Midshipman subjects against whom sexual assault reports could be substantiated</b>	<b>4</b>
<b>Sexual Assault Investigations Involving Cadet/Midshipmen Opened and Completed in APY11-12</b>	<b>APY11-12 Totals</b>
# Cadet/Midshipman victims identified in investigations initiated and closed in APY11-12*	4
# Cadet/Midshipman victims whose reports of sexual assault could be substantiated*	1
# Cadet/Midshipman subjects identified in investigations initiated and closed in APY11-12	2
# Cadet/Midshipman subjects against whom sexual assault reports could be substantiated	0
<b>Sexual Assault Investigations Involving Cadet/Midshipmen Opened Prior to APY11-12 and Completed in APY11-12</b>	<b>APY11-12 Totals</b>
# Cadet/Midshipman victims identified in Pre-APY11-12 investigations closed in APY11-12*	9
# Cadet/Midshipman victims whose reports of sexual assault could be substantiated*	5
# Cadet/Midshipman subjects identified in Pre-APY11-12 investigations closed in APY11-12	5
# Cadet/Midshipman subjects against whom sexual assault reports could be substantiated	4
<b>*Does not include victims from Restricted Reports, per mandate in PL 111-383</b>	
<b>ACADEMIC PROGRAM YEAR 2012 SUMMARY OF RESTRICTED SEXUAL ASSAULT REPORTS INVOLVING CADETS/MIDSHIPMEN</b>	<b>APY11-12 Totals</b>
<b># Cadet/Midshipman Victims initially making Restricted Reports</b>	<b>6</b>
# Cadet/Midshipman Victims who converted from Restricted Report to Unrestricted Report in the current APY	2
<b># Cadet/Midshipman Victim Reports Remaining Restricted</b>	<b>4</b>



<b>ACADEMIC PROGRAM YEAR 2011 - 2012 SUMMARY OF UNRESTRICTED SEXUAL ASSAULT REPORTS INVOLVING CADETS/MIDSHIPMEN</b>		<b>APY11-12 Totals</b>
<b>Total Cadet/Midshipman victims in all investigations closed in APY11-12*</b>		<b>13</b>
<b>Cadet/Midshipman victims whose reports of sexual assault could be substantiated*</b>		<b>6</b>
<b>Total Cadet/Midshipman subjects in all investigations closed in APY11-12</b>		<b>7</b>
<b>Cadet/Midshipman subjects against whom sexual assault reports could be substantiated</b>		<b>4</b>
<b>Sexual Assault Investigations Involving Cadet/Midshipmen Opened and Completed in APY11-12</b>		<b>APY11-12 Totals</b>
# Cadet/Midshipman victims identified in investigations initiated and closed in APY11-12*		4
# Cadet/Midshipman victims whose reports of sexual assault could be substantiated*		1
# Cadet/Midshipman subjects identified in investigations initiated and closed in APY11-12		2
# Cadet/Midshipman subjects against whom sexual assault reports could be substantiated		0
<b>Sexual Assault Investigations Involving Cadet/Midshipmen Opened Prior to APY11-12 and Completed in APY11-12</b>		<b>APY11-12 Totals</b>
# Cadet/Midshipman victims identified in Pre-APY11-12 investigations closed in APY11-12*		9
# Cadet/Midshipman victims whose reports of sexual assault could be substantiated*		5
# Cadet/Midshipman subjects identified in Pre-APY11-12 investigations closed in APY11-12		5
# Cadet/Midshipman subjects against whom sexual assault reports could be substantiated		4
<b>* Does not include victims from Restricted Reports, per mandate in PL 111-383</b>		
<b>ACADEMIC PROGRAM YEAR 2012 SUMMARY OF RESTRICTED SEXUAL ASSAULT REPORTS INVOLVING CADETS/MIDSHIPMEN</b>		<b>APY11-12 Totals</b>
# Cadet/Midshipman Victims initially making Restricted Reports		6
# Cadet/Midshipman Victims who converted from Restricted Report to Unrestricted Report in the current APY		2
<b># Cadet/Midshipman Victim Reports Remaining Restricted</b>		<b>4</b>

US NAVAL ACADEMY APY11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS		APY11-12 Totals
<p><b>A. APY11-12 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipman.</b></p> <p>Note: The data about Unrestricted Reports in Sections A and B below is raw information about allegations received during APY11-12 that will be referred for a criminal investigation. These Unrestricted Reports may not be fully investigated by the end of the academic program year.</p>		
# VICTIMS in APY11-12 Unrestricted Reports		9
# Cadet/Midshipman victims		8
# Non-Cadet/Midshipman victims		1
<b>Unrestricted Reports in the following categories</b>		
# Cadet/Midshipman on Cadet/Midshipman		9
# Cadet/Midshipman on Non-Cadet/Midshipman		3
# Non-Cadet/Midshipman on Cadet/Midshipman		1
# Non-Cadet/Midshipman on Non-Cadet/Midshipman		3
# Unidentified Subject on Cadet/Midshipman		2
<b>Unrestricted Reports of sexual assault occurring</b>		
# On Academy Grounds		9
# Off Academy Grounds		6
# Unidentified location		0
<b>Investigations Initiated (From APY11-12 Unrestricted Reports)</b>		
# Investigations pending completion as of 31 May 12		9
# Completed Investigations as of 31 May 12		4
<b>All Restricted Reports received in APY11-12</b>		
# Converted from Restricted Report to Unrestricted Report*		6
# APY11-12 RESTRICTED REPORTS REMAINING RESTRICTED		4
<b>B. DETAILS OF UNRESTRICTED REPORTS RECEIVED IN APY11-12</b>		
<b>Length of time between sexual assault and Unrestricted Report</b>		
# Reports made within 3 days of sexual assault		9
# Reports made within 4 to 30 days after sexual assault		3
# Reports made within 31 to 365 days after sexual assault		2
# Reports made longer than 365 days after sexual assault		1
# Unknown		3
# Unknown		0
<b>Time of sexual assault</b>		
# Midnight to 6 am		9
# 6 am to 6 pm		3
# 6 pm to midnight		0
# Unknown		6
<b>Day of sexual assault</b>		
# Sunday		9
# Monday		0
# Tuesday		0
# Wednesday		1
# Thursday		1
# Friday		0
# Saturday		4
# Unknown		2
<b>C. SUMMARY OF ALL INVESTIGATIONS OF UNRESTRICTED REPORTS COMPLETED IN APY11-12</b>		
# Total Investigations completed during APY11-12		13
# Investigations opened in APY11-12 and completed in APY11-12		4
# Of these investigations with more than one victim, more than one subject, or both		0
# Investigations opened prior to APY11-12 and completed in APY11-12		9
# Of these investigations with more than one victim, more than one subject, or both		1
<b>SUBJECTS in all investigations completed during APY11-12</b>		
# Cadet/Midshipman subjects in completed investigations		15
# Your Cadet/Midshipman subjects investigated by your Service		7
# Other Service Cadet/Midshipman subjects investigated by your Service		0
# Non-Cadet/Midshipman subjects in your Service's investigations		6
# Unidentified subjects in your Service's investigations		2
<b>VICTIMS in all investigations completed during APY11-12</b>		
# Cadet/Midshipman victims		13
# Cadet/Midshipman victims in own Service's investigations		13
# Other Service Cadet/Midshipman victims in your Service's investigations		0
# Non-Cadet/Midshipman victims in your Service's investigations		0
# Unidentified victims in your Service's investigations		0

D. FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED APY11-12 INVESTIGATIONS		APY11-12 Totals	D1. ASSOCIATED VICTIM DATA FOR COMPLETED APY11-12 INVESTIGATIONS		APY11-12 Totals
# Investigations opened in APY11-12 and completed in APY11-12		4	# VICTIMS in investigations opened in APY11-12 and completed in APY11-12		4
# SUBJECTS in investigations opened in APY11-12 and completed in APY11-12		4	# Cadet/Midshipman Victims in investigations opened and completed in APY11-12		4
# Total Subjects with allegations unfounded by a Military Criminal Investigative Organization		0	# Total VICTIMS associated with MCIIO unfounded allegations		0
# Cadet/Midshipman Subjects with allegations unfounded by MCIIO		0	# Cadet/Midshipman Victims involved in MCIIO unfounded allegations		0
# Non-Cadet/Midshipman Subjects with allegations unfounded by MCIIO		0	# Non-Cadet/Midshipman Victims involved in MCIIO unfounded allegations		0
# Total Subjects Outside DoD Prosecutive Authority		1	# Cadet/Midshipman Victims in substantiated Unknown Offender Reports		1
# Unknown Offenders		1	# Cadet/Midshipman Victims in remaining Unknown Offender Reports		0
# US Civilians or Foreign National Subjects not Subject to the UCMJ		0	# Cadet/Midshipman Victims in substantiated Civilian/Foreign National Subject Reports		0
# Cadet/Midshipman Prosecuted by a Civilian or Foreign Authority		0	# Cadet/Midshipman Victims in remaining Civilian/Foreign National Subject Reports		0
# Subjects who died or deserted		0	# Cadet/Midshipman Victims in substantiated reports against a Cadet/Midshipman who is being Prosecuted by a Civilian/Foreign Authority		0
# Subjects who died or deserted		0	# Cadet/Midshipman Victims in remaining reports with a deceased or deserted subject		0
# Subjects who died or deserted		0	# Cadet/Midshipman Victims in remaining reports with a deceased or deserted subject		0
# Total Command Action Precluded or Declined for Sexual Assault		3	# Cadet/Midshipman victims who declined to participate in the military justice action		1
# Cadet/Midshipman Subjects where victim declined to participate in the military justice action		1	# Cadet/Midshipman victims in investigations having insufficient evidence to prosecute		1
# Cadet/Midshipman Subjects whose investigations had insufficient evidence to prosecute		1	# Cadet/Midshipman victims whose cases involved expired statute of limitations		0
# Cadet/Midshipman Subjects whose cases involved expired statute of limitations		0	# Cadet/Midshipman victims whose allegations were unfounded by Command		1
# Cadet/Midshipman Subjects with allegations that were unfounded by Command		1	# Cadet/Midshipman victims who died before completion of the military justice action		0
# Cadet/Midshipman Subjects with victims who died before completion of military justice action		0			0
# Subjects still awaiting command action as of 31 May 12		0			0
# Subjects for whom command action was completed as of 31 May 12		0			0
# APY11-12 Cadet/Midshipman Subjects where evidence supported Command Action		0	# APY11-12 Cadet/Midshipman Victims in cases where evidence supported Command Action		0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred (Initiated)		0	# Cadet/Midshipman Victims involved with Court-martial referrals (Initiations) against subject		0
# Cadet/Midshipman Subjects: Non-judicial punishment (Article 15 UCMJ)		0	# Cadet/Midshipman Victims involved with Nonjudicial punishments (Article 15) against subject		0
# Cadet/Midshipman Subjects: Administrative discharges		0	# Cadet/Midshipman Victims involved with Administrative discharges against subject		0
# Cadet/Midshipman Subjects: Other adverse administrative actions		0	# Cadet/Midshipman Victims involved with Other administrative actions against subject		0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred for non-sexual assault offense		0	# Cadet/Midshipman Victims involved with Court-martial referrals for non-sexual assault offenses		0
# Cadet/Midshipman Subjects: Non-judicial punishment for non-sexual assault offense		0	# Cadet/Midshipman Victims involved with Nonjudicial punishment for non-sexual assault offenses		0
# Cadet/Midshipman Subjects: Administrative discharges for non-sexual assault offense		0	# Cadet/Midshipman Victims involved with Administrative discharges for non-SA offense		0
# Cadet/Midshipman Subjects: Other adverse administrative actions for non-sexual assault offense		0	# Cadet/Midshipman Victims involved with Other administrative actions for non-SA offense		0
# APY11-12 Investigations STILL PENDING completion as of 31-May-12		9			9
# Pre-APY11-12 Investigations completed of 31-May-12		0			0
# SUBJECTS in Pre-APY11-12 Investigations completed by 31-May-12		11	# VICTIMS in investigations opened prior to APY11-12 and completed in APY11-12		9
# Cadet/Midshipman Subjects in Pre-APY11-12 Investigations completed in APY11-12		5	# Total Pre-APY11-12 Victims associated with MCIIO unfounded allegations		0
# Total Pre-APY11-12 Subjects with allegations unfounded by a Military Criminal Investigative Organization		0	# Cadet/Midshipman Victims involved in MCIIO unfounded allegations		0
# Cadet/Midshipman Subjects with allegations unfounded by MCIIO		0	# Non-Cadet/Midshipman Victims involved in MCIIO unfounded allegations		0
# Non-Cadet/Midshipman Subjects with allegations unfounded by MCIIO		0			0
# Total Pre-APY11-12 Subjects Outside DoD Prosecutive Authority		2			2
# Unknown Offenders		1			1
# US Civilians or Foreign National Subjects not Subject to the UCMJ		1			1
# Cadet/Midshipman Prosecuted by a Civilian or Foreign Authority		0			0
# Subjects who died or deserted		0			0
# Total Command Action Precluded or Declined for Sexual Assault		4			4
# Cadet/Midshipman Subjects where victim declined to participate in the military justice action		1			1
# Cadet/Midshipman Subjects whose investigations had insufficient evidence to prosecute		3			3
# Cadet/Midshipman Subjects whose cases involved expired statute of limitations		0			0
# Cadet/Midshipman Subjects with allegations that were unfounded by Command		0			0
# Cadet/Midshipman Subjects with victims who died before completion of military justice action		1			1
# Subjects still awaiting command action as of 31-May-12		4			4
# Subjects for whom command action was completed as of 31-May-12		4			4
# Pre-APY11-12 Cadet/Midshipman Subjects where evidence supported Command Action		2			2
# Cadet/Midshipman Subjects: Courts-Martial charge preferred (Initiated)		1			1
# Cadet/Midshipman Subjects: Nonjudicial punishments (Article 15 UCMJ)		0			0
# Cadet/Midshipman Subjects: Administrative discharges		1			1
# Cadet/Midshipman Subjects: Other adverse administrative actions		0			0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred for non-sexual assault offense		0			0
# Cadet/Midshipman Subjects: Non-judicial punishment for non-sexual assault offense		0			0
# Cadet/Midshipman Subjects: Administrative discharges for non-sexual assault offense		0			0
# Cadet/Midshipman Subjects: Other adverse administrative actions for non-sexual assault offense		0			0
* Restricted Reports that convert to Unrestricted Reports are counted with the total number of Unrestricted Reports.		0			0

**US NAVAL ACADEMY APY11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULT - Cadet/Midshipman STATUS BY GENDER**

**F. REPORTED SEXUAL ASSAULTS INVOLVING Cadet/Midshipman (BY or AGAINST Cadet/Midshipman) IN THE BELOW CATEGORIES FOR ALL APY11-12 INVESTIGATIONS (UR)**  
 Note: The data in this section is drawn from raw, uninvestigated information about Unrestricted Reports received during APY11-12. These reports may not be fully investigated by the end of the academic program year.

	Male on Female		Female on Male		Female on Female		Unknow on Male		Unknow on Female		Multiple Mixed Gender Assault	APY11-12 Totals
	#	%	#	%	#	%	#	%	#	%		
# Cadet/Midshipman on Cadet/Midshipman	6	1	0	0	0	0	0	0	0	0	0	9
# Cadet/Midshipman on Non-Cadet/Midshipman	1	0	0	0	0	0	0	0	0	0	0	3
# Non-Cadet/Midshipman on Cadet/Midshipman	1	0	0	0	0	0	0	0	0	0	0	1
# Unidentified subject on Cadet/Midshipman	1	0	0	0	0	0	0	0	0	0	0	2

**UNRESTRICTED REPORTS MADE IN APY11-12**

**G. REPORTED SEXUAL ASSAULTS INVOLVING Cadet/Midshipman (BY or AGAINST Cadet/Midshipman) IN THE FOLLOWING CATEGORIES FOR ALL INVESTIGATIONS (UR)**  
 Note: The data in this section is drawn from raw, uninvestigated information about Unrestricted Reports received during APY11-12. These reports may not be fully investigated by the end of the academic program year.

Incidents Occurring In Prior Academic Program Years, but Reported in APY11-12		Incidents Occurring and Reported in APY11-12		APY11-12 Totals		
	#	%	#	%	#	%
	# Total Cadet/Midshipman Victims in APY11-12 Reports	2	0	1	2	3
# Cadet/Midshipman Victim: female	1	50	1	100	2	67
# Cadet/Midshipman Victim: male	1	50	0	0	1	33
# Non-Cadet/Midshipman Victim: Female	2	100	0	0	2	67
# Non-Cadet/Midshipman Victim: Male	0	0	0	0	0	0
# Unidentified subject on Cadet/Midshipman	0	0	0	0	0	0

**TIME OF INCIDENT BY OFFENSE TYPE FOR UNRESTRICTED REPORTS OF SEXUAL ASSAULT MADE IN APY11-12**

Time of sexual assault	#	%
# Midnight to 6 am	0	0
# 6 am to 6 pm	0	0
# 6 pm to midnight	1	100
# Unknown	0	0

**Day of sexual assault**

Day	#	%
# Monday	0	0
# Tuesday	0	0
# Wednesday	0	0
# Thursday	0	0
# Friday	0	0
# Saturday	0	0
# Unknown	0	0

**II. DEMOGRAPHICS ON VICTIMS IN INVESTIGATIONS COMPLETED IN APY11-12**

Note: The information below is drawn from all investigations that were closed during APY11-12, and does not correspond to the data reported in sections F and G, above.

Gender of Victim	#	%
# Female	2	100
# Male	0	0
# Unknown	0	0

**Age of Victims**

Age	#	%
# 16-19	2	100
# 20-24	0	0
# 25-34	0	0
# 35-44	0	0
# 45-64	0	0
# 65 and older	0	0
# Unknown	0	0

**VICTIM TYPE**

Victim Type	#	%
# Service Member	2	100
# Deb Cowan	0	0
# Ship Officer	0	0
# Civilian	0	0
# US Civilian	0	0
# Foreign national	0	0
# Foreign military	0	0
# Unknown	0	0

**Grade of Victims**

Grade	#	%
# 3rd Year	2	100
# 4th Year	0	0
# 5th Year	0	0
# 6th Year	0	0
# 7th Year	0	0
# 8th Year	0	0
# 9th Year	0	0
# 10th Year	0	0
# Unknown	0	0

**Service of Service Member Victims**

Service	#	%
# Active Duty Service Member	0	0
# Non-Service Member	2	100
# Unknown	0	0

**Status of Service Member Victims**

Status	#	%
# National Guard (Activated - This 10)	0	0
# Reserve (Activated)	0	0
# Active Duty	0	0
# Unknown	0	0

**APY11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULT BY OFFENSE TYPE**

**Incidents Occurring and Reported in APY11-12**

Offense Type	#	%
# Rape (Art. 120)	0	0
# Aggravated Assault (Art. 120)	1	100
# Wrongful Contact (Art. 120)	0	0
# Abusive Contact (Art. 120)	0	0
# Indecent Exposure (Art. 120)	0	0
# Stalking (Art. 120)	0	0
# Sexual Harassment (Art. 120)	0	0
# Other Offense	0	0

**Victim Data From Investigations Opened in Prior Years, but Investigation Completed in APY11-12**

Offense Type	#	%
# Rape (Art. 120)	0	0
# Aggravated Assault (Art. 120)	0	0
# Wrongful Contact (Art. 120)	0	0
# Abusive Contact (Art. 120)	0	0
# Indecent Exposure (Art. 120)	0	0
# Stalking (Art. 120)	0	0
# Sexual Harassment (Art. 120)	0	0
# Other Offense	0	0

**APY11-12 Totals**

Offense Type	#	%
# Rape (Art. 120)	0	0
# Aggravated Assault (Art. 120)	1	100
# Wrongful Contact (Art. 120)	0	0
# Abusive Contact (Art. 120)	0	0
# Indecent Exposure (Art. 120)	0	0
# Stalking (Art. 120)	0	0
# Sexual Harassment (Art. 120)	0	0
# Other Offense	0	0

**APY11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULT BY GENDER**

Gender	#	%
# Male	0	0
# Female	3	100

**APY11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULT BY OFFENSE TYPE**

Offense Type	#	%
# Rape (Art. 120)	0	0
# Aggravated Assault (Art. 120)	1	100
# Wrongful Contact (Art. 120)	0	0
# Abusive Contact (Art. 120)	0	0
# Indecent Exposure (Art. 120)	0	0
# Stalking (Art. 120)	0	0
# Sexual Harassment (Art. 120)	0	0
# Other Offense	0	0

**APY11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULT BY GENDER**

Gender	#	%
# Male	0	0
# Female	3	100

**APY11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULT BY OFFENSE TYPE**

Offense Type	#	%
# Rape (Art. 120)	0	0
# Aggravated Assault (Art. 120)	1	100
# Wrongful Contact (Art. 120)	0	0
# Abusive Contact (Art. 120)	0	0
# Indecent Exposure (Art. 120)	0	0
# Stalking (Art. 120)	0	0
# Sexual Harassment (Art. 120)	0	0
# Other Offense	0	0

G. REPORTED SEXUAL ASSAULTS INVOLVING CODED MEMBERS (BY OR AGAINST CODED MEMBERS) IN THE FOLLOWING CATEGORIES FOR ALL APY11-12 INVESTIGATIONS	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Indecent Assault (Art. 134) (Pre-FY07)	Attempts to Commit Offense (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offense (Art. 80)	APY11-12 Totals
I. DEMOGRAPHICS ON SUBJECTS IN INVESTIGATIONS COMPLETED IN APY11-12	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Indecent Assault (Art. 134) (Pre-FY07)	Attempts to Commit Offense (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offense (Art. 80)	APY11-12 Totals
The information below is drawn from all investigations that were closed during APY11-12, and does not correspond to the data reported in sections F and G, above.	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Indecent Assault (Art. 134) (Pre-FY07)	Attempts to Commit Offense (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art. 120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offense (Art. 80)	APY11-12 Totals
Gender of SUBJECTS	2	6	1	0	1	1	0	0	1	1	0	1	0	1	0	15
# Male	2	6	1	0	1	1	0	0	1	1	0	1	0	1	0	14
# Female	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Age of SUBJECTS	2	0	1	0	0	0	0	0	0	0	0	0	0	0	0	2
# 18-24	2	0	1	0	0	0	0	0	0	0	0	0	0	0	0	2
# 25-34	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 35-49	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 50-64	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 65 and older	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUBJECT TYPE	2	6	1	0	1	1	0	0	1	1	0	1	0	1	0	15
# Service Member	2	6	1	0	1	1	0	0	1	1	0	1	0	1	0	15
# DoD Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# DoD Contractor	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Other US Government Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# US Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Foreign national	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Prisoner of War	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grade of SUBJECTS	2	6	1	0	1	1	0	0	1	1	0	1	0	1	0	15
# 1st Year	2	6	1	0	1	1	0	0	1	1	0	1	0	1	0	15
# 2nd Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 3rd Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 4th Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 5th Year	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Active Duty Student	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Active Duty Service Member	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Non-Service Member	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Service of Service Member SUBJECTS	2	6	1	0	1	1	0	0	1	1	0	1	0	1	0	15
# Unknown	2	6	1	0	1	1	0	0	1	1	0	1	0	1	0	15
# Army	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Navy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Air Force	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Coast Guard	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Status of Service Member SUBJECTS	2	6	1	0	1	1	0	0	1	1	0	1	0	1	0	15
# Active Duty	2	6	1	0	1	1	0	0	1	1	0	1	0	1	0	15
# Reserve (Integrated)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Reserve (Non-Integrated)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Cadet/Aviation Student - The 101	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Academic Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<i>Subject Data From Investigations Opened in Prior Years, but closed during APY11-12</i>																
<i>Subject Data From Investigations Opened and Closed in APY11-12</i>																
<i>Subject Data From Investigations Opened in Prior Years, but closed during APY11-12</i>																
<i>Subject Data From Investigations Opened and Closed in APY11-12</i>																

\*NOTE: Pursuant to the academic program Year 2012 National Defense Authorization Act change to Article 120 of the Uniform Code of Military Justice, these categories will change on June 28, 2012.

2. Restricted Reports

USNA APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT	
<b>A. APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT</b> (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)	<b>APY11-12 TOTALS</b>
# TOTAL victims initially making Restricted Reports	6
# Cadet/Midshipman victims making Restricted Reports	6
# Non-Cadet/Midshipman and Adult Dependents Service Member Victims making Restricted Report Involving a Cadet/Midshipman Subject	0
# Total victims who converted from Restricted Report to Unrestricted Report in the current FY*	2
# Cadet/Midshipman victims who converted from Restricted Report to Unrestricted Report in current FY	2
# Non-Cadet/Midshipman and Adult Dependents Service Member victims who converted from Restricted Report to Unrestricted Report in current FY	0
# TOTAL victim reports remaining Restricted	4
# Cadet/Midshipman victim reports remaining Restricted	4
# Non-Cadet/Midshipman and Adult Dependents Service Member victim reports remaining Restricted	0
# Reported sexual assaults involving Cadet/Midshipman in the following categories	6
# Cadet/Midshipman on Cadet/Midshipman	3
# Non-Cadet/Midshipman on Cadet/Midshipman	3
# Cadet/Midshipman on Non-Cadet/Midshipman (entitled to a RR by DoD Policy)	0
# Unidentified subject on Cadet/Midshipman	0
<b>B. INCIDENT DETAILS</b>	<b>APY11-12 TOTALS</b>
# Reported sexual assaults occurring	6
# On Academy Grounds	1
# Off Academy Grounds	5
# Unidentified location	0
Length of time between sexual assault and Restricted Report	6
# Reports made within 3 days of sexual assault	1
# Reports made within 4 to 30 days after sexual assault	0
# Reports made within 31 to 365 days after sexual assault	3
# Reports made longer than 365 days after sexual assault	2
# Unknown	0
Time of sexual assault incident	6
# Midnight to 6 am	3
# 6 am to 6 pm	0
# 6 pm to midnight	3
# Unknown	0
Day of sexual assault incident	6
# Sunday	1
# Monday	0
# Tuesday	0
# Wednesday	1
# Thursday	1
# Friday	0
# Saturday	3
# Unknown	0
<b>C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION</b>	<b>APY11-12 TOTALS</b>
# Service Member VICTIMS	6
# Army victims	0
# Navy victims	6
# Marines victims	0
# Air Force victims	0
# Coast Guard	0
# Unknown	0
<b>D. DEMOGRAPHICS FOR APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT</b>	<b>APY11-12 TOTALS</b>
Gender of VICTIMS	6
# Male	1
# Female	5
# Unknown	0
Age of VICTIMS	6
# 16-19	4
# 20-24	2
# 25-34	0
# 35-49	0
# 50-64	0
# 65 and older	0
# Unknown	0
Grade of Service Member VICTIMS Grade	6
# 1st Year	4
# 2nd Year	1
# 3rd Year	1
# 4th Year	0
# Prep School Student	0
# Service Member	0
# Unknown	0
Status of Service Member VICTIMS	6
# Active Duty	0
# Reserve (Activated)	0
# National Guard (Activated - Title 10)	0
# Cadet/Midshipman	6
# Academy Prep School Student	0
# Unknown	0
VICTIM Type	6
# Service Member	6
# DoD Civilian	0
# DoD Contractor	0
# Other US Government Civilian	0
# US Civilian (Service Member Dependent Over Age 18)	0
# Foreign national	0
# Foreign military	0
# Unknown	0
<b>E. RESTRICTED REPORTING FOR A SEXUAL ASSAULT THAT OCCURRED PRIOR TO JOINING SERVICE</b>	<b>APY11-12 TOTALS</b>
# Cadet/Midshipman VICTIMS making a Restricted Report for Incidents Occurring Prior to Military Service	1
# Cadet/Midshipman Making A Restricted Report for an Incident that Occurred Prior to Age 18	0
# Cadet/Midshipman Making a Restricted Report for an Incident that Occurred After Age 18	1
# Cadet/Midshipman Choosing Not to Specify	0
<b>F. RESTRICTED REPORTS CONVERSION DATA (DSAID USE ONLY)</b>	<b>APY11-12 TOTALS</b>
Mean # of Days Taken to Change to Unrestricted	
Standard Deviation of the Mean For Days Taken to Change to Unrestricted	
Mode # of Days Taken to Change to Unrestricted	
* The Restricted Reports are reports that converted to Unrestricted Reports are counted in the total number of Unrestricted Reports listed in Worksheet 1a, Section A.	

US NAVAL ACADEMY APY11-12 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made.</i>	
<b>A. SUPPORT SERVICE REFERRALS TO CADET/MIDSHIPMEN AND SERVICE MEMBER VICTIMS FROM UNRESTRICTED REPORTS:</b>	<b>APY11-12 TOTALS</b>
# Support service referrals for VICTIMS in the following categories	
# MILITARY Resources (Referred by DoD)	34
# Medical	2
# Mental Health	8
# Legal	8
# Chaplain/Spiritual Support	8
# Rape Crisis Center	0
# Victim Advocate/Uniformed Victim Advocate	8
# DoD Safe Helpline	0
# Other	0
# CIVILIAN Resources (Referred by DoD)	0
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate	0
# Other	0
# Cases where SAFEs were conducted	2
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
# Victims making an Unrestricted Report for an incident that occurred prior to military service	0
<b>B. APY11-12 MILITARY PROTECTIVE ORDERS (MPO)* AND TRANSFERS - UNRESTRICTED REPORTS</b>	<b>APY11-12 TOTALS</b>
# Military Protective Orders issued during APY11-12	2
# Reported MPO Violations in APY11-12	0
# Reported MPO Violations by Subjects	0
# Reported MPO Violations by Victims of sexual assault	0
# Reported MPO Violations by Both	0
<small>*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk for the victim.</small>	
# Unit/Duty transfer requests by Cadet/Midshipman victims of sexual assault	3
# Unit/Duty transfer requests by Cadet/Midshipman victims Denied	0
# Installation Transfer requests by Cadet/Midshipman victims of sexual assault	0
# Installation transfer requests by Cadet/Midshipman victims Denied	0
<b>C. SUPPORT SERVICE REFERRALS FOR CADET/MIDSHIPMAN AND SERVICE MEMBER VICTIMS IN RESTRICTED REPORTS:</b>	<b>APY11-12 TOTALS</b>
# Support service referrals for VICTIMS in the following categories	
# MILITARY Resources (Referred by DoD)	12
# Medical	0
# Mental Health	4
# Legal	0
# Chaplain/Spiritual Support	4
# Rape Crisis Center	0
# Victim Advocate/Uniformed Victim Advocate	4
# DoD Safe Helpline	0
# Other	0
# CIVILIAN Resources (Referred by DoD)	0
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate	0
# Other	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0
<b>CIVILIAN DATA</b>	
<b>D. SEXUAL ASSAULT SERVICES TO NON-SERVICE MEMBERS who were victimized by Cadet/Midshipman Subjects (DOD CIVILIANS, DEPENDENTS, CONTRACTORS, ETC)</b>	<b>APY11-12 TOTALS</b>
# Non-Cadet/Midshipman assisted in the following categories:	0
# Cadet/Midshipman on Non-Service Member	0
# Other	0
Gender of Non-Service Member Assisted	0
# Male	0
# Female	0
# Unknown	0
Age of Non-Service Member Assisted	0
# 16-19	0
# 20-24	0
# 25-34	0
# 35-49	0
# 50-64	0
# 65 and older	0
# Unknown	0
Non-Service Member Type	0
# DoD Civilian	0
# DoD Contractor	0
# Other US Government Civilian	0
# US Civilian	0
# Foreign National	0
# Foreign Military	0
# Unknown	0
# Support service referrals for Non-Service Members in the following categories	0
# MILITARY Resources (Referred by DoD)	0
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate/Uniformed Victim Advocate	0
# DoD Safe Helpline	0
# Other	0
# CIVILIAN Resources (Referred by DoD)	0
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate	0
# Other	0
# Cases where SAFEs were conducted	0
# Cases where SAFE kits or other needed supplies were not available at time of victim's exam	0

Offense Investigated	Location	Subject's Ethnicity	Subject's Gender	Victim's Ethnicity	Victim's Gender	Offense Description	Case or Article ID	Disposition	Arrested	Medication on Trial	Frontal Injury Description	Hard Lane or Extra Duty	Unofficial Liability (RPT Duty)	Arrested with Authority Type	Arrest/Book Discharge Type	Remarks
1	On Academy Grounds	2nd Year	Male	2nd Year	Female	Victim Declined to Participate in Military Justice Action	Q3	Q3								On Academy Grounds, Cadet Victim reported that she awoke to a sharp pain and was lying on her stomach and Subject was on top of her with his hands on her neck. Subject later reported that she was sexually assaulted. Acknowledgment form. On 1st Feb 12, Staff Judge Advocate advised that no criminal charges would be pursued due to Victim signing the Declaration form.
2	On Academy Grounds	4th Year	Male	3rd Year	Female	Insufficient Evidence of Any Offense	Q3	Q3								On Academy Grounds, Cadet Victim reported Subject raped her on two different occasions. During both assaults, Subject held Victim down, took her pants and underwear down, and her legs apart with his legs and forcibly raped her. The investigation was processed to command and they were advised that no criminal charges would be pursued.
3	On Academy Grounds	1st Year	Male	1st Year	Female	Court-Martial Charge Preferred (Initiated)	Q2	Q2	YES		YES					On Academy Grounds, Cadet Victim reported Subject forced her and placed his hands inside her shorts and underwear and touched her breasts and genitalia. Subject later returned and pulled Victim out of the room and sexually assaulted her. A General Court Martial took place and Subject was found guilty of UCMJ Article 107 (F also Official Statement) and Article 120 (Rape) and was sentenced to 6 months confinement, dismissal from service, and required to register as a sex offender.
4	On Academy Grounds	Unknown or 1st Year	Unknown or Male	2nd Year	Female	Unknown Subject	Q2	Q2								On Academy Grounds, Cadet Victim reported an unknown male grabbed her from behind and attempted to take her shorts off. During the struggle, Victim stated she fell to the ground during the struggle and the subject was on top of her. The investigation was processed to command and they were advised that no criminal charges would be pursued due to the absence of additional investigative leads or the identification of a logical suspect.
5	On Academy Grounds	4th Year	Male	4th Year	Female	Court-Martial Charge Preferred (Initiated)	Q4	Q4	YES		YES					On Academy Grounds, Cadet Victim reported passing out and awoke to Subject on top of her having sex. Victim blacked out again and when she awoke, Subject was on top of her and she was sexually assaulted. Subject was later found guilty of UCMJ Article 120. Members found Subject not guilty of the charge of rape, but guilty of wrongful sexual contact. During sentencing, Subject was sentenced to 6 months confinement, dismissal from service, and required to register as a sex offender from this U.S. Navy and required to register as a sex offender from this U.S. Army.
6	Off Academy Grounds	0-1	Male	4th Year	Female	Victim Declined to Participate in Military Justice Action	Q4	Q4								On Academy Grounds, Cadet Victim reported waking up in a room with Subject on top of her. Subject was on top of her and they were engaged in consensual kissing and fondling, leading to both of them being unclothed. When Subject put on a condom Victim told them no, and they both went to sleep. Victim later awoke to Subject on top of her, inserting his penis into her vagina. Subject later reported that he was sexually assaulted. The RLSO-SE determined not to seek prosecution of Subject due to the victim stating she no longer wanted to participate in this case and subsequently signing a Victim Declaration Letter.
7	Off Academy Grounds	Civilian	Male	3rd Year	Male	Civilian Prosecution of Person Not Subject to UCMJ	Q1	Q1								Off Academy Grounds, Cadet Victim reported waking up in a room with Subject on top of her. Subject was on top of her and they were engaged in consensual kissing and fondling, leading to both of them being unclothed. When Subject put on a condom Victim told them no, and they both went to sleep. Victim later awoke to Subject on top of her, inserting his penis into her vagina. Subject later reported that he was sexually assaulted. The RLSO-SE determined not to seek prosecution of Subject due to the victim stating she no longer wanted to participate in this case and subsequently signing a Victim Declaration Letter.
8	Off Academy Grounds	2nd Year	Male	1st Year	Female	Insufficient Evidence of Any Offense	Q2	Q2								Off Academy Grounds, Cadet Victim reported attending a party with other midshipmen, became extremely intoxicated and passed out on an air mattress. Victim woke up to find Subject on top of her having sexual intercourse. Staff Judge Advocate's Office provided the Sexual Assault Declaration form. The case will be closed due to insufficient evidence of any offense.



Formal Sexual Harassment Reports at the US Military Service Academies APY11-12	
A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.	APY11-12 TOTALS
<b>A. Formal Sexual Harassment Complaints (total)</b>	<b>0</b>
# Cadet/Midshipman Complainants	0
# Non-Cadet/Midshipman Complainants	0
<b>B. Location of Incident</b>	<b>0</b>
# On Academy Grounds	0
# Off Academy Grounds	0
# Unidentified location	0
<b>C. # Total Sexual Harassment Investigations opened during APY11-12</b>	<b>0</b>
# Investigations pending completion as of 31 May 12	0
# <b>Completed investigations as of 31 May 12</b>	<b>0</b>
<b>D. Sexual Harassment Details - Length of time between incident and formal report</b>	<b>0</b>
# Reports made within 60 days of the sexual harassment	0
# Reports made more than 60 days following the sexual harassment	0
# Unknown	0
<b>E. # Reports forwarded to General Court Martial Convening Authority</b>	<b>0</b>
# Reports forwarded to GCMCA within 72 Hours	0
# Reports forwarded to GCMCA beyond 72 Hours	0
<b>F. Time of Sexual Harassment Incident</b>	<b>0</b>
# Midnight to 6 am	0
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	0
<b>G. Day of Sexual Harassment Incident</b>	<b>0</b>
# Sunday	0
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	0
# Saturday	0
# Unknown	0
<b>H. # APY11-12 COMPLETED INVESTIGATIONS</b>	<b>0</b>
# Investigations with more than one complainant, more than one subject, or both	0
# <b>of Subjects in Completed Investigations</b>	<b>0</b>
<b>I. APY11-12 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS</b>	<b>0</b>
# Subjects with Unsubstantiated Complaints	0
# Pending command action as of 31 May 12	0
# <b>Subjects for whom command action was completed of 31 May 12</b>	<b>0</b>
<b>J. # Commander Actions (APY11-12 Subjects)</b>	<b>0</b>
# Courts-martial	0
# Nonjudicial Punishments	0
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Cadet Disciplinary System Actions	0
# Other adverse administrative actions	0



**ENCLOSURE 3:**

**UNITED STATES AIR FORCE ACADEMY  
SELF-ASSESSMENT**





DEPARTMENT OF THE AIR FORCE  
WASHINGTON DC

OFFICE OF THE ASSISTANT SECRETARY

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE (PERSONNEL AND  
READINESS)

FROM: Assistant Secretary of the Air Force (Manpower and Reserve Affairs)

SUBJECT: Department of Defense Academic Program Year 2011-2012 Annual Report on  
Sexual Harassment and Violence at the U.S. Military Service Academies

Reference your 11 May 2012 memorandum at attachment 1; I approve release of the Annual Report on Sexual Harassment and Violence at attachment 2. The USAFA remains committed to maintaining an outstanding victim-focused Sexual Assault Prevention and Response (SAPR) program and continues to benchmark national civilian and military best practices in order to realize improvements in sexual assault prevention, reporting and victim care.

Thank you for the opportunity to review. My points of contact are Ms. Charlene Bradley and Ms. Trenda Voegtle, SAF/MRM, commercial phone number 703-692-7757 or e-mail [charlene.bradley@pentagon.af.mil](mailto:charlene.bradley@pentagon.af.mil) and [trenda.voegtle@pentagon.af.mil](mailto:trenda.voegtle@pentagon.af.mil).

A handwritten signature in cursive script that reads "Daniel B. Ginsberg".

DANIEL B. GINSBERG  
Assistant Secretary  
Manpower and Reserve Affairs

Attachments:

1. 11 May 2012 USD (P&R) Memorandum
2. Annual Report

## **Academic Program Year 2011-2012 Annual Report on Sexual Harassment and Violence at the Military Service Academies United States Air Force Academy**

### **EXECUTIVE SUMMARY**

The USAFA Sexual Assault Response Coordinator (SARC) received 52 reports of sexual assault during APY 11-12. This is an increase from 33 reported sexual assaults in APY 10-11 (DoD Annual Report on Sexual Harassment & Violence at the Military Service Academies, Academic Program Year 2010-2011). This year, of the 52 reported sexual assaults, 21 were Unrestricted reports, 31 were Restricted reports. Four of the 21 Unrestricted reports were Restricted reports from previous years that were converted from Restricted to Unrestricted during APY 11-12. We are hopeful that this overall increase in reports is an indicator of trust in the Sexual Assault Prevention and Response (SAPR) program, however we urge caution in interpreting these figures as it cannot be definitively determined if the number of sexual assaults are increasing each APY and/or that command is aware of more sexual assault incidents due to increased trust in the reporting process. It is important to note that of the 52 sexual assault cases, 12 were reports made regarding sexual assaults that occurred prior to entry to USAFA (prior-to-service); this 120% increase over the previous year of prior-to service reports could signify trust in the SAPR system. There were 2 conversions from restricted to unrestricted that occurred in APY 11-12. It should be noted that 4 of the 21 Unrestricted reports were Restricted reports from previous APYs that were converted from Restricted to Unrestricted during APY 11-12. Taken together with the 12 cases involving prior-to-service sexual assaults, the total number of new reports concerning incidents that occurred while cadets were enrolled at USAFA is 36.

National statistics continue to show that sexual assault is one of the most underreported crimes in America. Those attending colleges, typically aged 18 to 24 years old, are especially vulnerable to sexual assault. A study in 2007 of civilian colleges revealed that upwards of 33% of women are sexually assaulted during their college years. Another reality is that many students are assaulted prior to attending college. Unfortunately, incoming USAFA cadets are not immune to this issue. Anonymous polling of the incoming class of 2016 indicated that 27% of females and 6% of males reported being sexually assaulted prior to entering USAFA. In APY11-12, there were 12 Prior-to-Service (USAFA) sexual assaults reported.

USAFA remains committed to maintaining an outstanding victim-focused SAPR program. USAFA's SAPR program, sexual harassment prevention programs, Peak Performance Center, and other helping agencies are focused on these and related issues. Education, culture change, and victim care are the primary focuses of USAFA's Sexual Assault Prevention and Response program. Since the program's inception, USAFA continues to benchmark national civilian and military best practices in order to realize improvements in sexual assault prevention, reporting and victim care.

The 10<sup>th</sup> Airbase Wing Equal Opportunity (10 ABW/EO) Office stands behind the Air Force “Zero Tolerance” Policy by collaborating with leadership in prevention of unlawful discrimination and sexual harassment. When unlawful discrimination or sexual harassment is alleged, immediate and relevant actions are taken to investigate, clarify, and resolve all alleged issues to ensure any proven unlawful behavior is stopped and applicable disciplinary action is taken against offender(s).

In APY 11-12, eleven Commander Worked Issues (CWIs) were processed by 10ABW/EO; seven of eleven were documented as sexual harassment and 4 were sex discrimination. All offenders received some form of disciplinary action that was equal to the degree of the offense.

## **1. PROGRAM OVERVIEW**

### **1.1 General Overview of USAFA’s Prevention of Sexual Harassment (POSH) and Sexual Assault Prevention and Response (SAPR) Program**

#### **1.1.1 Authorizing service and Academy regulations**

The Air Force Academy’s Prevention of Sexual Harassment (POSH) and Sexual Assault Prevention and Response (SAPR) programs are run in accordance with AFI 36-6001 29 Sept 2008 Sexual Assault Prevention and Response (SAPR) Program and USAFA 36-3502 Performance Measures (2004). The Equal Opportunity (EO) Office adheres to and constructs its POSH in accordance with AFI 36-2706, Equal Opportunity Program Military and Civilian, 5 Oct 10.

#### **1.1.2 Organizational structure of USAFA’s POSH and SAPR programs**

- USAFA POSH has two separate programs. The first is organized under the 10 ABW EO Office, which serves the 10 ABW and cadet wing permanent party. This office has a Cadet Wing liaison, an experienced Defense Equal Opportunity Management Institute (DEOMI)-trained NCO, who works specifically with cadets, with an office located in Sijan Hall in the cadet area.
- The second POSH program is the Human Resources Training and Education (HR&TE) Office organized under the Cadet Wing and reports directly to the Vice Commandant of Cadets for Culture and Climate. The HRTE program primarily acts in a consultant and oversight role for all cadet EO related training.
- The SARC is also organized under the Cadet Wing and works directly for the Vice Commandant of Cadets. The SARC provides response and prevention education training for the entire USAFA installation and a geographically separated unit (GSU) located at Pueblo, CO.

### **1.1.3 Other personnel involved and their roles in your Academy's POSH and SAPR programs**

- SAPR and POSH collaborate with and cross-refer cadets, airmen/permanent party, prep school cadet candidates, and students attending the flight screening school at Pueblo with the Peak Performance Center, Mental Health, 10th Medical Group, and Memorial Hospital (SAFE exams).
- SAPR and POSH collaborate with other missions partners to include, but not limited to, USAFA 5/8/9 (Strategic Plans and Programs, Requirements, Institutional Research and Assessments, Directives, Policies and Integration), Public Affairs, the Athletic Department, the Dean of the Faculty and the Inspector General.
- POSH and SAPR also collaborate with and share training resources with the other front range bases including Ft. Carson, Buckley AFB, Peterson and Schriever AFB.

### **1.1.4 Document retention policy implementation**

- USAFA SAPR manages normal document retention with oversight and guidance provided by the USAFA Information management (IM) Office. The SARC is responsible for records maintained for purposes of victim case management.
- Previously, those records were maintained indefinitely in accordance with AFI 36-6001, Sexual Assault Prevention and Response, 29 September 2008.
- 
- In March 2012, the Air Force implemented the Defense Sexual Assault Incident Database (DSAID) and all victim case management records are now retained in DSAID with retention of 50 years. Additionally, the DD Form 2910, Victim Reporting Preference Statement can now be uploaded into the DSAID. DTM 11-062, "Document Retention in Cases of Restricted and Unrestricted Reports of Sexual Assault" requires that we retain a hard copy of the DD Form 2910 for 5 years from the date of a Restricted Report, consistent with DoD guidance for the storage of personally identifiable information (PII).
- 
- Per AFI 33-322, Records Management Program and AFI 36-2706, Equal Opportunity Program Military and Civilian, 5 Oct 10, the 10 ABW/EO Office manages document retention with oversight and guidance provided by the Base Records Management Office. The EO Superintendent and the NCOIC of the EO Satellite Office are the EO Records Custodians and participate in records review and inspections as required by AF/EO and the Base Records Management Office. The EO Office's FARM is attached to the 10 ABW Command Section Staff who conduct periodic records inspections, SAVs, and provide consultation as necessary to maintain and upkeep records. The retention policy for EO official records is to destroy after 2 years.

## **2. INSTITUTIONALIZE PREVENTION STRATEGIES IN THE MILITARY COMMUNITY**

## **2.1 Policies, Training, Procedures and Initiatives Implemented or Advanced During APY 11-12 to Prevent Sexual Harassment and Sexual Assault**

### **2.1.1 Efforts by USAFA to promote a culture of prevention**

- The most effective SAPR efforts to instill the messages of prevention, respect, and wingman behavior are not performed in a vacuum. To promote this larger, healthier culture, USAFA SAPR works to instill these values globally throughout USAFA program elements both internally to the cadet wing and externally with Mission Partners. SAPR-themed programs are developed and promoted in partnership with the sponsoring agency for which the training is targeted. For example, SAPR contracted Dr. Jackson Katz, founder of the MVP coaching program, at USAFA's Preparatory School. Over 30 cadet candidates received a 2-day intensive course training them to be role models of effective bystander intervention. As most of the cadet candidates enter USAFA the next year, this is a great investment. Currently, cadets are not mandated by Air Force to attend the Bystander Intervention Training (BIT) that is required of Air Force permanent party. USAFA SAPR and leadership believe this training is critical for cadets. Therefore, USAFA SAPR contracted with Dr. Dorothy Edwards, founder of the Green Dot program, to create a cadet bystander intervention program for cadets. SAPR also worked with the USAFA commissioning education program to develop a "moral courage" lesson which uses a two-part video scenario promoting bystander intervention during a drug-facilitated sexual assault. The moral courage lesson continues to be taught by senior officers from varied career fields.
- EO promotes a culture of prevention through HR&TE and continuous collaboration with Air Officer Commanding (AOC) and Academy Military Trainer (AMT) staff to ensure awareness of the USAFA "zero" tolerance policy and adherence to AF directives governing prevention of sexual harassment.

### **2.1.2 Education and training initiatives associated with bystander intervention or appropriate risk reduction that does not blame victims**

USAFA SAPR works in tandem with the Peak Performance Center, the Human Relations Training and Education (HRTE) Office, and the 10 ABW Equal Opportunity Office, focusing on overarching themes that are integrated and reinforced by each program. Again this year, the theme of establishing mutually respectful gender relations was cultivated through 1) definitions of both sexual harassment and sexual assault across a continuum of harmful behavior, 2) scenario-based discussion, 3) role playing (including some that are cadet-developed), and other related training methods. These efforts are used in order to illustrate how sexual harassment can escalate into sexual assault and to identify the importance of identifying and stopping sexual harassment BEFORE it develops into assault. These methods and teaching points are incorporated across these related mission elements to reinforce key messages and identify the importance of early intervention.

#### **2.1.2.1 Basic Cadet Training (BCT)**



Basic Cadet Training begins on in-processing day and continues until the start of the academic year. BCT emphasizes the fundamental concepts of military organization: drill, ethics, honor, Air Force heritage and physical training. Basic cadets also study the military role in American society and the Air Force's mission and organization.

BCT tests cadets' mental and physical abilities and helps them transition from civilian to military life. Cadets develop alertness, physical endurance, emotional resilience, self-reliance, attention to detail, punctuality and individual initiative as they are subjected to rigorous discipline. On their first day, cadets are issued clothing and receive their room and squadron assignments. They swear an oath of allegiance to support and defend the Constitution of the United States and faithfully discharge their duties as cadets. A public swearing-in ceremony takes place on the second day of BCT.

BCT consists of two phases, both administered by upper class cadets with commissioned officers serving as advisers and with the commandant of cadets providing overall supervision. The first phase of BCT takes place in the Cadet Area and is devoted to military orientation programs with an emphasis on learning basic military skills and responsibilities, improving physical conditioning and adapting to teamwork through competitive sports. The second phase of BCT consists primarily of field-training activities conducted at the Jacks Valley encampment site five miles north of the Cadet Area. Cadets march to the campsite, construct a tent city and live there for 18 days. The cadets expand their military orientation, learn weapons skills and develop their mental and physical confidence through challenging obstacles.

Sexual Assault related prevention and training for cadets at USAFA begins immediately upon their arrival:

- On day two of BCT, all Basic Cadets receive a “Helping Agencies Brief” with a focus on sexual assault reporting options, support resources, and contact information. The Helping Agencies Brief also includes a discussion of basic Human Relations (HR) and EO policy, reporting information and guidance. Later in BCT, Basic Cadets view (in gender separate groups) and discuss “Frank: The Undetected Rapist,” a video by Dr. David Lisak. Additionally, this year the SAPR Office recruited 4 experienced, seasoned SARCs to help teach the “Frank” lesson to the basic cadets.
- A change this year for the “Frank” training was the addition of a 1 degree (senior) female Cadet who co-taught and facilitated this training for the female basic cadets. Basic Cadets also receive additional Human Relations training in BCT facilitated by Defense Equal Opportunity Management Institute (DEOMI)-trained personnel from across the Air Force. Sessions include Military EO and HR awareness training (Parts I & II).

#### 2.1.2.2 Other 4<sup>th</sup> class year training

The 4<sup>th</sup> class year cadet's developmental role is that of "follower". All SAPR training for the 4<sup>th</sup> class year is created and conducted to be consistent with the role of a "follower". Specific training for 4<sup>th</sup> class year cadets included:

- All 4<sup>th</sup> class cadets attend presentations of "Sex Signals" within the first month of the academic program year that focuses on male/female communication, dating, intimacy as well as sexual assault prevention and bystander intervention.
- Women's and men's health briefings are conducted in late August of the academic year by cadet medical clinic staff and include discussion of sexually transmitted diseases and contraceptives.
- Sexual risk management, taught by the Peak Performance Center staff, is designed to address personal decisions about sex healthy relationships, consent (deliberate and clear communication), and consequences and risks of sexual activity (within the context of AF core values and professional image).
- "You Deserve to Be Here!" presented by guest speaker Ms. Veraunda Jackson who speaks to both men and women (in gender separate groups) sharing her motivational story of being a rape survivor. She talks specifically to female cadets about self-esteem, bystander intervention, supporting one another, and how to navigate the unique challenges of being a woman at USAFA. Ms. Jackson addresses men about victim empathy, appropriate behaviors toward female teammates, and bystander intervention.
- "Sex and Substance Abuse Punishments Under the UCMJ" (USAFA DF Law Dept brief).
- "Promoting Diversity" Human Relations Lesson is taught by CW HRTE staff, to include interpersonal relations between genders, societal perceptions and sexual harassment.

#### 2.1.2.3 3<sup>rd</sup> class year training

The 3<sup>rd</sup> class year builds on and expands previous sexual assault and sexual harassment lessons and is consistent with the USAFA officer development system 3<sup>rd</sup> year cadet's developmental role of working on "interpersonal" behavior. The 3<sup>rd</sup> class year training is as follows:

- AF SAPR Policy and Services (Cadet Annual SAPR Training) reinforces prior training plus focuses on cadets' roles as wingmen and emerging supervisors. It incorporates case studies geared toward helping cadets develop appropriate interpersonal relationship skills. This training is presented by squadron AOCs and AMTs who receive training prior to their briefing cadets. To standardize the training message, the SARC created a video tape for the required annual SAPR training. This video also included two current videos- one focusing on victim empathy and the other on consent. The SARC provided training for all AOCs, AMTs, and associates to further insure standardization and improve the quality of the presentation. Squadron PEERs assist the AOC and AMT with presentation and discussion of a developmentally appropriate sexual assault scenario.

- “May I Kiss You?,” presented by guest speaker Mr. Mike Domitritz, educates cadets on consent and communication within sexual relationships and intimacy. This year Mr. Domitritz’s presentation included bystander intervention information. Data collection was again utilized for this presentation to capture post-test data using cell phone technology.
- “Respect and Responsibility” (RR) workshop/seminar is an experientially-based interactive 7-hour program designed around the concept of dignity and respect and is conducted in concert with the Center for Character and Leadership Development.
- RR includes specific discussions of negative and positive interactions between male and female cadets.

#### 2.1.2.4 2<sup>nd</sup> class year training

The 2<sup>nd</sup> class year also builds on and expands previous sexual assault and sexual harassment lessons, in line with the USAFA officer development system with their role as the “member” of a team. The training for the 2<sup>nd</sup> class year cadet is as follows:

- “Sex Offenders, Service Members, and You: Leadership Beyond the Obvious” ” was presented by guest speaker, former Army Criminal Investigations Division agent, Mr. Russell Strand. This briefing highlights profiles of typical sex offenders and how they operate in the military environment. It also introduces the concept of the “third persona”. The presentation highlights difficulties in identifying sex offenders who have established themselves as the “nice guy/gal” or the “outstanding airman/cadet” whom they may one day supervise. The briefing also underscores the importance of believing victims when they come forward and dispels the false reporting myth.
- “Managing Diversity” Human Relations lesson provides supervisory-level discussion of leadership across the diversity spectrum to include gender-related issues.
- “Moral Courage” Commissioning Education (CE) lesson provides two video-based scenarios around bystander intervention themes from the “What Would You Do?” television series. Cadets discuss the actual behaviors of bystanders in simulated situations. Lesson focus is on the barriers to intervening in such situations and how to overcome them.
- AF Accessions Briefings (I & II) during the beginning of their academic year. This is AF-mandated, AETC-developed video/scenario-based training addressing policy.

#### 2.1.2.5 1<sup>st</sup> class year training

The 1<sup>st</sup> class year also builds on and expands previous sexual assault and sexual harassment lessons, in line with the USAFA officer development system with their role as the “organizational” leader to prepare them for their entry into the operational Air Force as leaders. The training for the 1<sup>st</sup> class year cadet is as follows:

- Ms. Anne Munch, JD, was added as a new subject matter expert speaker for first class cadets this year. She delivered a presentation called “The Unknown Conspirator” which builds on Mr. Russell Strand’s presentation regarding perpetrators. This presentation teaches how the unit climate can contribute to the

belief that a predator is really a good person incapable of assault. She presents a high profile sexual assault case including actual facts and data to illustrate the conflict in credibility between victims and perpetrators.

- “Addressing HR Issues” is a human relations lesson, taught by HRTE. It is an in-depth discussion of actual case studies and how leaders of character should respond. It also informs cadets about available support resources and helping agencies.

#### 2.1.2.6 2<sup>nd</sup> and 1<sup>st</sup> class cadets – specialized SAPR job training

- BCT Cadre Training focuses on training all BCT cadre to address appropriate and inappropriate interactions with Basic Cadets. The focus of the training is on respectful leadership and setting a positive human relations climate.
- Cadet Military Guidance Officers (MGO) training focuses on recognizing Basic Cadet needs and connecting them to appropriate helping agencies. A specific training block addresses the USAFA Sexual Assault Response Program and BCT response procedures.
- Summer Youth Programs Cadre (Science/Sport camps) training for cadet cadre includes Review of USAFA SAPR programs, policies, and procedures for referring civilian and underage sexual assaults.

#### 2.1.2.7 SAPR-related training for all cadets

- Violence Awareness is a USAFA-wide program customized for cadets that expands the discussion of violence to include discussing the contrast between sexual assault violence versus non-sexual assault violence.
- Alcohol Awareness is a progressive, developmental program, by class year, for promoting responsible behavior with emphasis on the link between alcohol misuse and sexual assault.
- Integration of SAPR concepts in character development and cadet CE lessons.
- Women’s Forums offer an opportunity for round table discussions with every class year female cadet.
- A Sexual Assault Prevalence Video was created in collaboration with the SAPR program and HQ USAFA/A5/8/9 using existing data from the 2010 Defense Manpower Data Center Service Academy Gender Relations Survey and the 2010 Workplace and Gender Relations Survey of the Active Duty Members. The Sexual Assault (SA) prevalence video was shown to permanent party to include coaches and faculty, and cadets via commander’s calls and/or other designated meeting times.

#### 2.1.2.8 Permanent party training

- USAFA SAPR and POSH training continues to be a proactive and comprehensive endeavor that seeks to maintain positive shifts in culture that are rooted in respect for all and that nurture healthy gender relations. The training listed below develops awareness that sexual assault does occur and the policies and procedures surrounding prevention of and response to it. USAFA has a wide range of training programs, consultations and outreach to both cadets and permanent party/staff.
- USAFA SAPR trained over 14,000 permanent party personnel across all mission elements and cadets during APY 11/12. The following list is illustrative of the programs in place this year:
  - Academy Response Team (ART) Case Management Team training
  - Cadet Sponsor Program. Provided basic SAPR program info, definitions, what to do if a cadet they sponsor discloses, how to recognize behavioral changes, how to report to the SARC, how a sponsor can help facilitate a healthy environment, and Q/A.
  - Spring Break Campaign was titled “Have a Sweet and Safe Spring Break.” SAPR in conjunction with the Peak Performance Center, USAFA Safety, ADAPT, cadet PEER program, and the Cadet Alcohol Working Group presented a Spring Break outreach program at Fairchild Hall with informational tables manned by staff from these agencies and cadet PEERs and presented “Target Hardening” self-defense program demonstrations and fliers to sign up participants.
- USAFA SAPR trained over 14,000 permanent party personnel across all mission
- Preparatory School training focused on SAPR policy and reporting process for cadet candidates with focused training for faculty/staff.
- EO specialists teach POSH to new permanent party USAFA personnel during First Duty Station within 30 days of arrival. They also conduct a refresher course during newcomers and provide a Key Personnel Briefs to all new commanders, Command Chiefs and First Sergeants within 30 days of arrival. One-on-one training is provided for individuals who cannot attend the above courses as well as offenders of the EO policy. Group training is also provided upon the request of unit commanders.

#### 2.1.2.9 New training for APY 2011/12

- Spring Break table used as an early ‘kick off’ of Sexual Assault Awareness Month (risk reduction and program visibility).
- CW HRTE initiated during Character and Leadership Development course “Respect and Responsibility” sexual harassment scenarios/training for all 4<sup>th</sup> class cadets.

#### **2.1.3 Communications, social marketing, and media initiatives**

The following are examples of the communications and social marketing initiatives that USAFA has enacted in order to increase visibility of the SAPR/POSH programs.

- SAPR and the Academy Response Team (ART) recognize the importance of marketing and strategic communication to get the word out about the services

provided to victims of sexual assault as well as the resources available to their co-workers, squad mates, commanders, instructors, coaches, and others.

- POSH/EO, SARC and Victim Advocates staffed an information table in the cadet gym during BCT In-Processing Day that provided important literature regarding sexual harassment and assault.
- Superintendent and Senior USAFA Leadership Bystander Intervention Training was co-facilitated by the SARC (Ms. Teresa Beasley) and Ms. Anne Munch, JD.
- The Faculty Handbook included basic SAPR policy, definitions, contact info, how to report, and additional reporting resources.
- The Cadet Handbook included basic SAPR policy, definitions, contact information, how to report, and additional reporting resources.
- Crisis Cards/Policy Cards are pocket sized with SARC contact information, tips on helping someone in need, important helping agency info.
- Promotional items include useful/functional (i.e. items the cadets will use and keep) items such as combination highlighter/ink pens, flashlights, lip balm, water bottles, identification card holders, magnets, clip magnets, sunscreen, credit card sized ice scrapers, and related items imprinted with the SARC contact number.
- 10 ABW/EO, CWPB and SARC Victim Advocates manned the Parents Weekend information table for all cadets and visiting parents.
- The Spring Break Table was located in Fairchild Hall and included an information table with a chocolate fountain, promotional items, self-defense demo and sign ups, manned by SARC, victim advocates, cadet PEERs, ADAPT staff. This table was strategically set up three days prior to the cadet's release for spring break.
- Sexual Assault Awareness Month (SAAM) – April 2012
  - This year the decision was made by the SARC to engage cadets to actually create and implement SAAM. Over 80 cadets volunteered to develop the “No Excuses” campaign. Each week during April had a special theme. Highlights included a movie on the quad night, a “walk a mile in their shoes” event, a Facebook page, a poster campaign, and a 22 minute positive testimonial video featuring current and previous cadets who have overcome sexual assault.
  - “Have a Sweet and Safe Spring Break” campaign included Target Hardening demo and sign ups as well as prevention, education, awareness and protection promotions.
  - Poster Campaigns for both SAAM and the Social Norming/Marketing campaigns.

## **2.4 Work Done to Implement or Support the Department's Sexual Assault Prevention Strategy**

USAFA SAPR continually strives to improve implementation and support of DoD SAPR program requirements and procedures (per DoDI 6495.02, 23 Jun, 2006).

- Commanders, AOCs, AMTs, supervisors, and managers at all levels receive specialized training in areas of sexual assault prevention to include victimology,

offender behavior, DoD's policy for victim collateral misconduct, and response to reports of sexual assault. (E3.1 and E3.2.1.2.)

- Cadet training is developmental and incorporates adult learning theory, and is based upon the USAFA Officer Development System and "PITO" models. (E3.2.2.2.)
- The USAFA multi-disciplinary case management group, the Academy Response Team (ART), meets twice monthly, exceeding DoD requirements. (E3.2.4.3.)

### **2.1.5 Methods used to foster prevention-related coalitions and networks (i.e. subject matter experts consulted and involved)**

The following subject matter experts were consulted and contracted to provide specialized SAPR training during APY 11-12:

- **Ms. Veraunda Jackson, Esq, Attorney**, specializes in child abuse litigation and sexual assault victimology.
- **Mr. Mike Domitrz**, founder of the 'Date Safe Project', specializes in consent issues.
- **Mr. Russell Strand**, USA Family Advocacy Programs Criminal Division Training Director, specializes in offender behavior.
- **Ms. Anne Munch, JD**, attorney and DoD/AF consultant. Co-author of the Air Force Bystander Intervention Training program.
- **Dr. Dorothy Edwards** and **Dr. Jennifer Sayre**, Green Dot bystander intervention program.
- **Mr. Jim Russell, JD**, JA Legal specialist and consultant to AF SAPR programs.
- **Dr. Jackson Katz**, creator of the MVP bystander intervention program.
- **Defense Equal Opportunity Management Institute (DEOMI)** Trained instructors provide initial sexual harassment and equal opportunity training to 4<sup>th</sup> class cadets (Fall semester).

Additionally, the following local agencies/bases were frequently consulted during the course of the APY and invited to numerous education/outreach events in an attempt to further solidify the greater Colorado Springs sexual assault and prevention response program:

- TESSA (Agency dedicated specifically and solely to the issues of domestic violence and sexual assault in El Paso and Teller Counties in Colorado)
- Peterson AFB
- Ft. Carson
- University Colorado-Colorado Springs
- Memorial Hospital

### **2.1.6 Studies of sexual harassment or sexual assault prevalence and/or prevention programming effectiveness supported or performed by your Academy**

USAFA did not perform any academic studies regarding sexual assault or sexual harassment during APY 11-12. However, USAFA did perform trend analysis during the course of the APY. Trend analysis/updates were performed monthly for the Superintendents' ART updates as well as Board of Visitor (BOV) visits during the APY.

Additionally, high level analysis was performed to investigate specific demographics of alleged perpetrators.

USAFA is currently constructing a program assessment methodology that will allow for the measurement of effectiveness of SAPR related training. USAFA SAPR is working with USAFAs commissioning education division to identify mission boundaries and synergy with any new assessment methodology. The new assessment process is expected to be implemented mid APY 12-13.



### 2.1.7 Number of personnel and cadets/midshipmen (by year) who received annual POSH and SAPR training

The following table annotates the number of cadets, by class year, the number of cadets that received APY 11-12 SAPR, POSH and EO training.

Class	Men	Women	Total
2012	857	237	1094
2013	850	218	1068
2014	834	252	1086
2015	801	229	1030
		Note: Class strength numbers as of April 2012	

#### 2.1.7.1 Training methods and time allotted for training

- USAFA utilizes various training methods for SAPR and POSH training. These methods include, but are not limited to, Guest Speaker presentations from (Subject Matter Experts (SMEs), classroom lecture from AOC/AMTs, PEERs, and SAPR staff. Additionally, multi-media presentations and events were constructed in support of SAAM in April 2012.
- The aforementioned training events are taught in 50 min, 90 min, and 120 min blocks depending on the nature of the training and the allocated time in the cadet schedule. Many of the events that occurred during SAAM in April 2012 ranged from 60 min to 120 min, depending on the event (see the following tables).

Cadet SAPR Training				
Course/Class title	Training Provider	Time	Fall/Spring	Audience

		allotted		
"Sex Signals Presentation	Guest Speaker Sex Signals Staff	90 min	Fall	4 degrees
Sexual Assault Annual Refresher Trng	AOC/AMT and Sq PEER	50 min	Fall	3 degrees
Sexual Assault Annual Refresher Trng	AOC/AMT and Sq PEER	50 min	Fall	2 degrees
Sexual Assault Annual Refresher Trng	AOC/AMT and Sq PEER	50 min	Fall	1 degrees
"May I Kiss You?" Consent Presentation	Guest Speaker Mike Domitrz	50 min	Spring	3 degrees
"Perpetrators, Sex Assault, & You" Presentation	Guest Speaker Russell Strand	50 min	Spring	2 degrees
"The Unknown Conspirator" Presentation	Guest Speaker Anne Munch	50 min	Spring	1 degrees
"You Belong Here" Presentation	Guest Speaker Veraunda Jackson	50 min	Spring	4 degree females
"Victim Empathy" Presentation	Guest Speaker Veraunda Jackson	50 min	Spring	4 degree males
AF Accessions Training I	SAPR staff & volunteers	120 min	Spring	2 degrees
AF Accessions Training 2	SAPR staff & volunteers	120 min	Spring	2 degrees

<b>Cadet EO/POSH Courses and Classes</b>				
Course/Class title	Training Provider	Time allotted	Fall/Spring	Audience
Cadet Helping Agencies Briefing	AOC/AMT/HRTE Staff	15min	BCT	4 degrees
MEO/HR Awareness Training (BCT)	AOC/AMT/HRTE Staff	120 min	BCT	4 degrees
Gender Role Socialization and Sexism	AOC/AMT/HRTE Staff	50 min	Fall	4 degrees
Respect & Responsibility Seminar	AOC/AMT/HRTE Staff	90 min	Fall/Spring	3 degrees
Supervisor's Role in Equal Opportunity	AOC/AMT/HRTE Staff	50 min	Fall	2 degrees
Addressing HR Issues/ Human Relations	AOC/AMT/HRTE Staff	50 min	Spring	1 degrees
One-on-one Sexual Harassment Training	EO Specialist	60 min	Fall	4 degree
One-on-one Sexual Harassment Training	EO Specialist	60 min	Fall	4 degree
One-on-one Sexual Harassment Training	EO Specialist	60 min	Fall	3 degree
One-on-one Race Discrimination Training	EO Specialist	60 min	Fall	4 degree

### 2.7.1.2 Alternative arrangements for individuals absent during training

- Numerous make-up sessions are provided for those individuals unable to make-up mandatory SAPR or POSH training. The make-up sessions are performed at the discretion of the lecturer and the cadet. Additionally, there are often multiple scheduled sessions of SME guest speaker presentations in which cadets unable to attend their session may attend another offering. However, those cadets that are away from USAFA for extended periods, such as athletic/academic trips, are often unable to attend SME guest speaker presentations. These training events, due to cost and scheduling issues, are unable to be made up

### **3. INCREASE CLIMATE OF VICTIM CONFIDENCE ASSOCIATED WITH REPORTING**

#### **3.1 Policies, Training, Procedures, and Initiatives Implemented or Advanced During APY 11-12 to Increase a Climate of Victim Confidence Associated with Reporting**

- All reports of sexual assault are made directly to the USAFA SARC, who is available 24/7 via Blackberry at DSN 333-7272, commercial 719-333-7272 or in person, 0730 – 1730 M – F at Arnold Hall, Room 180. After hours, the victim may meet with the SARC in person, but must first contact the SARC by phone to set up a time and safe meeting place. At the initial meeting, all reporting options are explained in detail to the victim who then selects his or her reporting option. If the victim chooses the “restricted” option, the victim receives information regarding support services available to them under this confidential option. If the “Unrestricted” option is chosen, the victim receives information on all support services and, as well, legal, investigative, and command intervention is initiated. For both reporting options, if the assault was within the window for collection of forensic evidence (approximately 72 hours), the victim is given the option to have a SAFE Exam performed at Memorial Hospital in Colorado Springs (USAFA has no personnel credentialed to perform SAFE exams, and has a MOU with Memorial Hospital). For both “restricted” and “Unrestricted” options, a victim advocate is assigned if the victim so chooses. The SARC also discusses the “Independent report” to the victim, in relation to who the victim has disclosed the sexual assault to, in the event that one of the individuals the victim disclosed to decides to report to a mandatory reporter (i.e. AOC, or AMT). The SARC and victim both sign the Victim Reporting Preference Statement (DD Form 2910).
- The USAFA SAPR program policy is set by DoDI 6495.02, Jun 2006 and AFI 36-6001, Sept 2007. Due to differences in demographics, cadet population, and USAFA educational institution requirements, implementing the above guidance requires some flexibility and change, especially in regard to training and curriculum requirements that are non-existent at other AF installations. USAFA SAPR operates under 1) the Officer Development System (ODS) and 2) the “PITO” cadet 4-year developmental model. To formally address these differences, the USAFA SAPR program has drafted a local instruction. This draft USAFAI is currently in the final stages of coordination with a tentative release for coordination mid APY 12-13.

##### **3.1.1 Encouraging the reporting of sexual assault**

### 3.1.1.1 Steps taken to publicize reporting options (Restricted and Unrestricted)

- The USAFA SAPR program heavily reinforces and publicizes the various reporting options during the numerous training events as documented in Section 2. Additional efforts outside of mandatory training events to publicize and provide detailed information are also highlighted in Section 2.3.
- Increased training of permanent party, targeting Department of Faculty, Athletic Department, AOC/AMTs.
- SAPR purchased new Blackberries for VAs and SARC, enhanced connectivity and communications capabilities and enabled the ‘eSARC’ program to function maximally.
- BCT in-processing, information tables were located at the cadet gym.
- Faculty Handbook, Cadet Handbook, Cadet Sight Picture include basic SAPR Policy and reporting process.
- Crisis Cards/Policy Cards – pocket-sized hard plastic cards with a cutout that will fit with the proxy cards (so cadets will have them at all times), contain basic SAPR information, tips on helping someone in need, and important helping agency and emergency contact information.
- SAPR poster distribution includes posters with basic Restricted reporting policy and contact information, which are posted in high traffic cadet areas and in bathroom stalls.
- Cadet-developed SAAM “No Excuses” posters, Facebook page, and 2 short ‘SAAM commercials’ advertising events and highlighting sexual assault prevention.
- Parent Weekend information tables were located in Arnold Hall for all cadets and visiting parents.

### 3.1.1.2 Steps taken to publicize the care support available with reporting

The USAFA SAPR program heavily reinforces and publicizes the type of care and support available for SA victims at the numerous training events as documented in Section 2. An additional effort outside of mandatory training events to publicize and provide detailed information is also highlighted in Section 2.3.

### 3.1.1.3 Steps initiated to reduce the stigma associated with reporting sexual assault and increase a climate of confidence with reporting

The USAFA SAPR program addresses the stigma for reporting during every SAPR training session (Ref Section 2) in an attempt to create a climate of confidence in reporting sexual assault. It is USAFA’s belief that our efforts are working to better the climate of reporting as evidenced by the continual increase in the number of reported sexual assault cases over the last three academic program years.

## **3.1.2 Understand and overcome reporting challenges**

### 3.1.2.1 Discuss reporting challenges and solutions your Academy developed and implemented

USAFA encounters several challenges in reporting sexual assaults. The first barrier is the delayed reporting, resulting in an inability to collect evidence. However, this has been improving recently, as sexual assault reporting delays have decreased from an average delay of 8-10 months to less than 4 months. Although the report delay is decreasing, it still remains a challenge. Victims who delay reporting typically struggle with health, grades, physical education, physical testing scores, and interpersonal relations. We have made our prevention and awareness training and recognition events more robust to address this. We have additionally broadened our training to include volunteers (i.e. cadet chapel volunteers, PEERs, etc.) to reinforce the importance of early intervention via SARC for both Restricted and Unrestricted reporting. Secondly, confidentiality breaches have been higher this past APY primarily due to OSI investigations for other crimes with sexual assaults being “revealed” during the investigation process.

#### 3.1.2.2 Number of times (Unrestricted or Restricted) where the confidentiality of a report was breached for any reason

Confidentiality was breached for 8 reports. Most of the reports were breached due to OSI investigations of non-sexual assault cases in which the sexual assault was identified during the investigative process.

#### **3.1.3 Facilitate the use of reporting methods for sexual harassment**

EO Office personnel are available 24 hours a day. An on-call roster is maintained at the Command Post and Security Forces. All EO personnel are trained to process sexual harassment cases. Emphasis letters signed by the USAFA Superintendent are posted throughout USAFA and in every squadron in the cadet area that contain the instructions for reporting sexual harassment. EO specialists interact on a continuous basis with AOCs and AMTs to assist in reporting issues that fall in the EO purview that are documented on commander worked issue worksheets and promote prevention of sexual harassment through emphasis and awareness of the USAFA “zero” tolerance policy and adherence to AF directives governing prevention of sexual harassment.

## **4. IMPROVE SEXUAL ASSAULT RESPONSE**

### **4.1 Policies, Training Procedures, and Initiatives Implemented or Advanced During APY 11-12 to Respond to or Improve the Response to Allegations to Sexual Harassment and Sexual Assault**

USAFA SAPR, HRTE Office, Character and Leadership Development, and the 10 ABW EO Offices work together to encourage reporting of sexual harassment and sexual assault. This is accomplished through mandatory AF prescribed training, supplemented with Commissioning Education (CE) lessons, the new Character and Leadership Development RR program, special events such as Spring Break Campaign and Sexual Assault Awareness Month (SAAM), and guest subject matter expert presenters and programs. Training is provided with focus on first responders, PEERs, leadership, and cadets. Examples of these training programs include:

- “Moral Courage” CE Lesson
- AF Bystander Intervention Training (3 separate modules: leadership, male, and female).
- All volunteers and personnel who work directly with cadets in other capacities such as Chapel “SPIRE” volunteers, cadet family sponsors, coaches/athletic staff, faculty, cadet flight line staff.
- Special presentations such as “Sex Signals”, or “May I Kiss You?” (Mr. Mike Domitrz) reinforce the messages of reporting and work with USAFA SAPR staff to ‘tailor’ their presentations to include cadet specific situations and examples to enable cadets to better relate to.

Other attempts to increase SAPR and POSH program visibility and education include, but are not limited to:

- BCT in-processing information tables.
- Faculty Handbook, Cadet Handbook, Cadet Sight Picture include basic SAPR Policy and reporting processes.
- Crisis Cards/Policy Cards. Pocket-sized hard plastic cards with a cutout that will fit with the proxy cards (so cadets will have them at all times), contain basic SAPR information, tips on helping someone in need, and important helping agency and emergency contact information.
- SAPR poster distribution includes basic Restricted reporting policy and contact information posters that are located in high traffic cadet areas and in bathroom stalls.
- Cadet-developed SAAM “No Excuses” posters, Facebook page, and (2) short “SAAM commercials” advertising events and highlighting sexual assault prevention.
- Parent Weekend information table in Arnold Hall for all cadets and visiting parents.
- EO policy and visual aids posted throughout the cadet squadrons.

#### **4.1.1 Availability of immediate, trained sexual assault and sexual harassment response capability**

- All reports of sexual assault are made directly to the USAFA SARC, who is available 24/7 via Blackberry at DSN 333-7272, commercial 719-333-7272 or in person, 0730 – 1730 M – F at Arnold Hall, Room 180.

- All VA's and the SARC carry Blackberries for enhanced connectivity and communications capabilities.
- Trained EO specialists are available at the 10 ABW/EO Office and at the Sijan EO Satellite Office which is properly equipped, private and accessible in the cadet area. EO Specialists are also available 24 hours a day via the Command Post 719-333-2633.

#### **4.1.2 The number of SARCs, VAs and EORs trained and the type of training they received to include refresher training**

##### 4.1.2.1 SAPR staff

The current SARC staff is comprised of: (1) SARC, (1) Assistant SARC, (2) Full-Time Victim Advocates.

##### 4.1.2.2 Training methods and time allotted for SAPR training

- USAFA's SARC and VAs have completed the mandatory 40 hour victim advocate training at the time of their appointment. Both victim advocates have completed the national victim advocate certification process and maintain that each year by completing the required continuing education hours annually to maintain their credential. Typically via national victim advocacy credentialed program. The SARC attends 40 hours of annual AF mandatory training each year. There is no annual credentialing requirement/body for SARCs.
- In addition to the above, the SARC and VAs engage in nationally recognized Subject Matter Expert training. This past APY training included, BIT with Dr. Edwards (40 hrs), consent issues with Mr. Mike Domitrz (4 hrs), victim advocacy in the legal and investigative programs with Ms. Anne Munch (16 hrs), victimology with Ms. Veraunda Jackson (8 hrs), local AFOSI Region 8 SAPR training (24 hrs). Additionally, the SARC and VAs work with local support agencies, such as TESSA, the local rape crisis center, and the Memorial Hospital SAFE program.

##### 4.1.2.3 Alternative arrangement for individuals absent during training

Due to cost and schedule constraints, there are no alternate arrangements for SAPR staff unable to make training held at USAFA. The SAPR staff makes every attempt to de-conflict their schedule with projected SAPR training events. Every attempt is made to de-conflict all formal training held of USAFA grounds as well.

##### 4.1.2.4 EO staff

There are currently three members assigned to the 10 ABW/EO Office. A civilian Director, an E-7 superintendent and an E-6 NCOIC of the Satellite Office

##### 4.1.2.5 Training methods and time allotted for EO training

- All EO Directors/Specialists are required complete 32 hours of MEO/EEO training initially and then 8 hours of refresher training annually.
- EO Directors/Specialists are required to complete 32 hours of Mediation training and then 8 hours of refresher training annually.

#### 4.1.2.6 Alternative arrangement for individuals absent during training

The EO Director and EO specialists attends training outside of USAFA and arrange training via TDYs.

#### **4.1.3 Number of personnel trained to be “first responders” to incidents (including criminal investigators, law enforcement, medical personnel, judge advocates, VAs, SARCs, and chaplains)**

USAFA SAPR provides ongoing training to all first responders, which includes both cadet and permanent party. Topics are relevant to first responder’s needs and include subjects such as victimology/typical victim behavior, offender behavior, DoD’s “lighter and later” policy as related to collateral victim misconduct, how to work with victims, reporting strategies, how to deal with a victim who may be disclosing to a mandatory reporter, typical cases/scenarios using role plays and discussion, and related topics (total attendees are in bold):

- Cadet PEER training — Aug 11 – 125 trained
- JA/AFOSI Anne Munch training – Aug 11 – 15 trained
- AOC/AMT SAPR In-service Training – Sept 11 – 42 trained
- JA/OSI training Anne Munch training – Jan 2012 – 11 trained
- First Responder Training (JA, OSI, SAPR, SFS) – May 12 – 60 trained
- Cadet BCT Cadre Military Guidance Officer (MGO) training – May 12- 20 trained
- New Air Officer Commanding (AOC) training– Jun 12– 23trained
- New AOC Orientation SAPR training – May 2012 – 21trained
- **TOTAL First Responders trained APY 2011/12 = 317 trained**

#### **4.1.4 Victim care improvements both on and off-installation**

The most significant change to victim care has been through the increased communications between off-installation support agencies and USAFA SAPR staff. USAFA staff meets regularly with its Colorado Springs partners and has increased its joint training events where possible. Increased communication has resulted in an increased quality of care and decreased timelines in SA response.

#### **4.1.5 Academy wide approaches to incorporate SAPR and POSH at all levels of leadership**

USAFA SAPR and POSH staff ensure that all USAFA and 10 ABW senior leaders and staff are invited to attend the SMEs guest speaker presentations. USAFA senior



leadership has attended most, if not all, past SME guest speaker presentations. In addition to offering multiple sessions of SME guest speaker presentations, the USAFA SAPR staff ensures that special sessions are offered for all levels of 10 ABW personnel.

#### **4.1.6 Access to resources and supplies**

There were no issues to resources and supplies in APY 11-12.

#### **4.1.7 Existing gaps in inventory, personnel, and transportation resources**

- There were no issues or gaps in inventory and transportation for APY 11-12. However, as stated in numerous DoD SAPO evaluations the 10 ABW requires a dedicated SARC to specifically handle 10 ABW and GSU sexual assault cases. The consistent annual increase in cadet cases, of sometimes up to 50%, places significant strain and burden on the existing SAPR staff and may potential detract from the quality of care/services currently provided to SA victims. Reference Section 10 for documentation of this deficiency.
- Trained EO specialists are available at the 10 ABW/EO Office and at the Sijan EO Satellite Office which is properly equipped, private and accessible in the cadet area

### **5. IMPROVE SYSTEM ACCOUNTABILITY**

#### **5.1 Execution of Academy Oversight Programs**

The USAFA SAPR and EO programs execute oversight through many avenues, to include DoD and AF instructions, inspections, surveys, and focus groups. Examples of these accountability methods are listed below:

- Academy Response Team (ART). A multi-disciplinary sexual assault case management team conducts case reviews, meeting twice each month
- The Cadet Helping Agency Team (CHAT). A multi-disciplinary team that meets monthly, or on an emergent basis if needed, to review and monitor cadets experiencing or undergoing difficult times or personal hardship. This team, chaired by the Vice Commandant of Cadets for Culture and Climate and is comprised of medical, mental health, cadet counseling, SAPR, and cadet leadership with the intent to monitor and have ‘eyes on’ all cadets placed on the Cadets At Risk List (CARL).
- Several external assessments are conducted e. g. DMDC Gender Relations Survey and Cadet Focus Groups, DoD bi-annual Service Academy Assessment (site visit), Sexual Harassment and Violence (SH&V) report, DoDAAR, and USAFAI 3502 Performance Management assessments.
- AF IG conducted their bi-Annual CUI inspections in February 2012.
  - The USAFA SAPR program was found in compliance and recognized for a team excellence award.
  - The UCI findings showed challenges in the EO Office, but none directly related to the cadet services.

- National subject matter experts are consulted (Dr. Jackson Katz, Dr. Dorothy Edwards) to continually refine and improve the quality and accuracy of all presented information.
- USAFA CWP conducts quarterly unit self-inspections. SAPR uses the AF Inspection Checklist as a guide.
- The USAFA SAPR program operates under the auspices of DoDI 6495.02, June 23, 2006 and AFI 36-6001, Sept 2007.

## **5.2 Synopsis of the Formal Processes, Participants, and Data Collection Activities that Support Oversight of the Programs**

Oversight and accountability for the USAFA SAPR and EO programs occurs throughout each academic program year; and it includes self-inspection, USAFA CWP and CW assessment, AF monthly/quarterly/annual reports, DoD and Congressional annual/bi-annual surveys, assessments, site visits, and written reports. Though not a DoD requirement, USAFA SAPR is a high interest item and participant in other USAFA institutional accreditations.

### **5.2.1 Program Management Reviews**

- ART case management team meets bi-weekly; exceeding the once a month DoD and AF standard
- Data collection for USAFA SAPR program evaluation and accountability has been implemented by our Social Norming Campaign – pre/post data collection at SAPR trainings and educational programs.
- USAFA Feb 2012 UCI SAPR Assessment “Outstanding” rating.
- DoD SAPRO Assessment 2011, met/exceeded all standards.
- AFI 36-3502 USAFA Performance Metrics – Air Force.
- DoDAAR – Department of Defense.
- Sexual Harassment and Violence (SH & V) report bi-annual – Congress.
- DoD Quarterly Reports; tracks Restricted/Unrestricted reports, victim services, legal and investigative outcomes for Unrestricted reports.
- USAFA CWP Self-Inspection Checklists (quarterly).
- USAFA Academic Accreditation and National Collegiate Athletic Association (NCAA) certification process requested USAFA SAPR participation; both credentialing bodies lauded USAFA SAPR staff, victim support and advocacy, and programs.
- Comprehensive Unit Inspection conducted by the IG in February of 2012 found the USAFA SAPR program in compliance, with several benchmark programs.

### **5.2.2 Steps Taken to Address Recommendations from Past External Oversight Activities**

Please refer to Section 10.

### **5.2.3 Comprehensive metrics to collect, analyze and report on program improvement.**

USAFA is currently constructing a program assessment methodology that will allow for the measurement of effectiveness of SAPR related training. USAFA SAPR is working with USAFAs commissioning education division to identify mission boundaries and synergy with any new assessment methodology. The new assessment process is expected to be implemented mid APY 12-13.

#### **5.2.4 Standardized SAPR Requirements, Terminology, Protocols, and Guidelines for Instructional Materials**

There were no additional USAFA efforts to standardize SAPR and/or POSH terminology and guidelines during APY 11-12.

#### **5.2.5 Research and data collection activities that have taken place within your Academy during the past fiscal (academic) year**

There were no additional research or data collection events that occurred during APY 11-12 other than April 2012 SAGR survey.

#### **5.2.6 Initiation or execution of any survey for the purpose of informing or improving Academy POSH and SAPR programming, including highlights of available findings**

Air Force Manpower Agency administered USAFA Climate Survey to USAFA Permanent Party and Cadets in the fall of 2011. Only 15% of cadets responded and the data was only presented in the aggregate so no reliable conclusions about the gender climate or POSH/EO programs could be made.

#### **5.2.7 Initiation or execution of any empirical research or evaluation project to inform or improve Academy POSH or SAPR programming, including highlights of available findings**

USAFA did not perform any academic studies regarding sexual assault or sexual harassment during APY 11-12. However, USAFA did perform trend analysis during the course of the APY. Trend analysis/updates were performed monthly for the Superintendent's ART updates as well as BoV visits during the APY. Additionally, high level analysis was performed to investigate specific demographics of alleged perpetrators.

## **6. IMPROVE KNOWLEDGE AND UNDERSTANDING OF SAPR**

### **6.1 List of Internal and External Stakeholders**

External Stakeholders:

- TESSA
- Colorado Springs Police Department

- El Paso County Sheriff’s Department, DA’s Office, MADD, and local high schools and universities
- Memorial Hospital Sexual Assault Forensic Exam nursing staff in-service
- USAFA Board of Visitors

Internal Stakeholders:

- USAFA permanent party to include Faculty, Athletic Staff, Cadet Wing leadership (to include AOC/AMTs, CW permanent party), Preparatory School, 10 Air Base Wing.

## **6.2 Training, Policy, Procedures, and Initiatives to Inform and Educate Stakeholders**

- AOC/AMT In-service training
- AOC Master’s Course and New AOC Orientation class
- Cadet Sponsor Program Briefing (all cadet sponsor families)
- SPIRE (Cadet Chapel volunteers)
- Service Academy Exchange Cadet Briefings
- Specialized briefings/training for the Athletic Department staff and coaches
- Individual SAPR training for Athletic Department women’s basketball team
- Department of Faculty (annual training and new faculty orientation)
- Cadet Helping Agencies Team (CHAT) meets monthly to discuss “at risk” cadets as a case management team. SAPR is a member.
- ART updates to the Superintendent/senior leaders. SAPR provides a detailed case status to the Superintendent monthly, as well as weekly updates to the Commandant and Vice Commandants. These updates cover the status of all open ART cases.
- Personal Ethics and Education Representatives (PEERs).
  - All cadet PEERs are BACCHUS network certified as first-contact point of referral; not as counselors but are trained to recognize ‘warning’ signs in a range of issues to include sexual assault
  - SAPR provides outreach services for other stakeholders on base or as required/requested. An example would be a squadron has an Unrestricted report that goes to trial. The SAPR team is invited to speak/discuss the case and the fallout within the squadron with cadets/airmen.

## **7. DATA FOR CADET/MIDSHIPMAN REPORTS**

### **7.1 Narrative Summary of APY11-12 Reports**

The USAFA Sexual Assault Response Coordinator (SARC) received 52 reports of sexual assault during APY 11-12. This is an increase from 33 reported sexual assaults in APY 10-11 (DoD Annual Report on Sexual Harassment & Violence at the Military Service Academies, Academic Program Year 2010-2011). This year, of the 52 reported sexual assaults, 21 were Unrestricted reports, 31 were Restricted reports. Four of the

21 Unrestricted reports were Restricted reports from previous years that were converted from Restricted to Unrestricted during APY 11-12. We are hopeful that this overall increase in reports is an indicator of trust in the Sexual Assault Prevention and Response (SAPR) program, however we urge caution in interpreting these figures as it cannot be definitively determined if the number of sexual assaults are increasing each APY and/or that command is aware of more sexual assault incidents due to increased trust in the reporting process. It is important to note that of the 52 sexual assault cases, 12 were reports made regarding sexual assaults that occurred prior to entry to USAFA (prior-to-service); this 120% increase over the previous year of prior-to-service reports could signify trust in the SAPR system. There were 2 conversions from restricted to unrestricted that occurred in APY 11-12. It should be noted that 4 of the 21 Unrestricted reports were Restricted reports from previous APYs that were converted from Restricted to Unrestricted during APY 11-12. Taken together with the 12 cases involving prior-to-service sexual assaults, the total number of new reports concerning incidents that occurred while cadets were enrolled at USAFA is 36.

Dispositions for APY 11-12 investigations for the 21 Unrestricted reports vary. For the 7 cases that occurred on USAFA, where there was Air Force jurisdiction, two were found legally sufficient to proceed to prosecution.

- Total number of sexual assault reports – **52**
- Number of Unrestricted reports - **21**
- Number of Restricted reports - **31**
- Reports converted from Restricted to Unrestricted: **2** new cases in APY 2011/2012 and **4** cases from previous APYs
- Dispositions for investigations of Unrestricted reports:
  - **13** investigations are still ongoing
  - **8** investigations have been closed
- Of the 52 reports, **12** involved prior-to-service sexual assaults (**11** Restricted and **1** Unrestricted)
- Total number new reports concerning incidents that occurred while cadets were enrolled at USAFA – **36**.

In APY 11-12, there were no formal Equal Opportunity Sexual Harassment cases. 10ABW/EO processed eleven Commander Worked Issues (CWIs); seven of the eleven were documented as sexual harassment and four were sex discrimination. All offenders received some form of disciplinary action that was equal to the degree of the offense, including disenrollment (cadet) and removal (AMT). In the 5 other cases, offending cadets received one of the following (depending on the severity of their offense): counseling, restriction, one-on-one sexual harassment training and/or group EO training within the squadron.

## **8. Gender Relations Survey**

### **8.1 2012 Service Academy Gender Relations Survey**

USAFA did not receive the 2012 SAGR survey results in time for this report. However, information provided by the DMDC Focus Group sessions from APY 10-11 was used to address the following areas.

### **8.1.1 Climate of confidence to report and seek help**

- There was near unanimous agreement among focus group participants that senior Academy leaders are very dedicated to preventing sexual assault.
- Focus group participants indicated that Academy officials make the Wing aware that incidents of sexual assault have occurred.

### **8.1.2 Prevention of sexual assault**

Reference Section 8.1.7.

### **8.1.3 Access and knowledge of resources for medical care and counseling**

Cadets are briefed at the helping agencies briefing on day two of BCT about Restricted and Unrestricted reporting, medical care, counseling, and other support services are available.

### **8.1.4 Understanding of Restricted and Unrestricted reporting options**

Most participants in the focus groups correctly stated the difference between Restricted and Unrestricted reporting of sexual assault.

### **8.1.5 Knowledge of the reporting process for sexual harassment and sexual assault**

Focus group participants generally knew the definition of sexual assault per the Uniform Code of Military Justice (UCMJ) and that the definition includes a variety of behaviors from unwanted sexual touching through completed unwanted sexual intercourse.

### **8.1.6 Training on how to avoid situations that increase risk of sexual violence**

- Focus group participants indicated they do not receive specific training on intervening between an offender and victim.
- Focus group participants indicated that they are trained in prevention.
- Focus group participants indicated the Academy is doing a good job of informing students about sexual assault and providing resources. Focus group participants also indicated that they understand the Wingman concept and need watch out for each other before an incident occurs.

### **8.1.7 Underreporting of sexual harassment and sexual assault**

- When told that USAFA had the greatest number of reported sexual assaults in the past year compared to the other Service Academies, focus group participants were not surprised.
- Focus group participants indicated that it is difficult to know if a report would stay anonymous when the nature of successful Restricted reporting does not reveal a report has been made.
- Focus group participants felt that the USAFA system allows making an anonymous report if the victim tells someone in the system but not their peers.
- Other focus group participants disagreed that one could make a completely anonymous report because USAFA students live in such close quarters.
- Some focus group participants indicated that students would not report unwanted sexual touching even though it is included in the definition of sexual assault because of the seriousness of sexual assault accusations.
- Focus group participants indicated that people might endorse a behavior on a survey, but not feel it is important enough to report or they took care of the issue themselves. Focus group participants also identified a mindset that they are expected to be tough and deal with issues.
- Focus group participants indicated that some students do not report sexual harassment for fear of the impact on how others view them.

## **8.2 Applying 2012 SAGR Survey Results to Improve Sexual Assault and Sexual Harassment Prevention and Response.**

USAFA does not have the results of the 2012 SAGR Survey as they have not been released to the Academy at the time this report was written. Once the 2012 SAGR report is received, USAFA will take the appropriate actions to incorporate the survey results/feedback into the SAPR program.

## **9. Plans for APY 12-13**

### **9.1 Plan for Actions APY 12/13**

#### **9.1.1 Prevention of sexual harassment and sexual assault**

The 10 ABW/EO Office will continue to reinforce the EO policy of “Zero Tolerance” for Sexual harassment by increasing their Out and About program in the cadet areas well as continue to work closely with the AOCs and AMTs.

##### 9.1.1.1 Re-Vamp AF SAPR Accessions 1 and 2 Program

- AF requires all accessions sources to provide SAPR Accessions training parts 1 and 2 at some point in the tenure of the cadet/airman. This includes AF basic training (6 weeks). AF Accessions training is AETC-developed.
- USAFA SAPR will approach AF SAPR and AETC to secure permission to utilize accessions teaching points, goals/objectives, but make the training more cadet/college-age appropriate/developmental.

- USAFA SAPR intent is to focus on effective bystander intervention, alcohol use, its influence on sexual assault and related appropriate prevention/education using cadet relevant scripts, scenarios, videos, etc.

#### 9.1.1.2 Implement the cadet Bystander Intervention Program

- Projected 2 year implementation timeline with complete implementation in Fall 2013.
- Continue to refine and implement the existing cadet bystander intervention program with the “Green Dot” program. To date a series of cadet videos have been filmed.
- Create/implement SAPR “crisis cards”. SAPR crisis cards are hard plastic info cards which will be attached by clip to the cadet’s proxy cards. These will be issued to each basic cadet during BCT.

### **9.1.2 Improving victim reporting of sexual assault and knowledge of sexual harassment reporting resourcing**

#### 9.1.2.1 Improve the ‘eSARC’ program to enhance response to victims and further encourage Restricted reporting option

- Continue to implement/improve technology and enhance communication with cadets using their communication venues (cell phone texting, email, etc.).
- Begin groundwork with the 10 ABW Communications Squadron and IT to set up secure email and website that includes:
  - Confidential reporting option for victim to the SARC using text/email
  - A virtual victim support group. A secure web-based chat room type program for victims/survivors that guarantees anonymity yet they may interact with other victims/survivors for support and validation.

#### 9.1.2.2 Improve relationship between EO Office and Cadet Squadron leadership

- The 10 ABW EO Office personnel have developed a three part plan in to elevate relations between the EO Office specialists and Cadet Squadron leadership. The goal is to increase reporting of commander worked issues to the EO Office. Because the AOC or AMT failed to contact the EO specialist, there are some EO incidents that occur without notice to EO or EO learns about the issue after the fact. Since it is difficult to measure how much information is delivered after an oversight is made, the measuring stick will show only the number of contacts EO received for squadron briefings in the cadet area.
- There are three steps planned to increase contact with the AOC and AMTs:
  1. Send out useful tips with the data call for CWIs at the end of each month.
  2. Attempt to attend Group meetings at the beginning of the Academic Year.
  3. Walk around the campus to acquaint EO Specialists with the AMTs

### **9.1.3 Response to victims**



- USAFA plans to continue exercising its existing procedures in responding to SA victims. Existing feedback from SA victims indicates that the system is working well and does not require additional modification at this time.
- The EO continues to take on-going proactive measures to promote the “zero tolerance” policy, documents disciplinary actions and provides group and one-on-one training to offender(s) to prevent recurrence of sexual harassment.

#### **9.1.4 Oversight activities**

Continue implementation of program evaluation during speaker presentations and SAPR-taught classes using standardized pre and post questions and wireless data collection devices.

#### **9.1.5 Stakeholder outreach**

Increase participation and collaboration/prevention with shared training events with YMCA, TESSA, MAAD, local universities/high schools, local hospitals, etc.).

#### **9.1.6 Other**

##### *Social Norming/Marketing Campaign*

- The APY 12/13 social norming campaign will focus on bystander intervention.
- Utilize data collected from standardized questions asked of cadets regarding bystander intervention.
- Expand the collection of data collected pre and post training presentations as a measure of program effectiveness.
- Some cadet data regarding bystander intervention has been collected this APY.
- Cadet perception is that most cadets would not intervene if they saw fellow cadets/friends engaging in behavior that put them at risk for sexual assault.

## **10. STATUS OF PAST ACTION ITEMS AND RECOMMENDATIONS IN PREVIOUS REPORTS**

### **10.1 Response to APY 10-11 Report on Sexual Harassment and Violence**

(See following page)

**Assessment of Action Items from the APY 10-11 Report**

<b>Action Item Page Number</b>	<b>Action Item (As stated in the Report)</b>	<b>United States Air Force Academy Update</b>
22	Implement the APY 10-11 and remaining APY 08-09 recommendations.	Implementing/responding to APY 10-11 Action Items. Follow up to remaining APY 08-09 recommendations are addressed in 10-11 Action Items responses.
23	Assess the feasibility of implementing the commendations of the other academies.	Complete in August 2012
23	Continue to hold the Sexual Assault Prevention and Response (SAPR) MSA Conference and include sexual harassment and academy Military Criminal Investigative Organizations	USAFA SAPR hosted a MSA Conference in May 2011. USNA has agreed to host the next MSA Conference during the Fall of 2012 at Annapolis. The conference will invite JA, Investigators, and Equal Opportunity (EO) staff.
23	Establish a quarterly conference call with MSA SAPR and Prevention of Sexual Harassment Program personnel.	Quarterly conference call will be established during the Summer of 2012. MSAs contact each other as needed. Whether in groups or one-on-one training EO proactively shares training resources and programs with Leadership, Commanders, Academy Military Trainers (AMTs) and Air Officer Commanding (AOCs) through preventive strategies in support of USAFA's zero tolerance of sexual harassment. EO will partner with SAPR in establishing a quarterly conference call to integrate resources as applicable toward reducing sexual harassment in any form.
77	Develop outcome-based metrics to address all prevention efforts and further develop trend analysis around changes to the SAPR Program.	A comprehensive set of outcome based metrics and feedback/testing strategy is being developed for trend analysis. Projected completion – Fall 2012 Mid APY 12-13
78	Access the feasibility of utilizing an expert for sexual assault prevention curriculum development.	<p>1. USAFA SAPR engaged Subject Matter Expert (SME) Brett Sokolow, JD, for curriculum development in 2009. All recommendations have been incorporated over time into the SAPR program since his evaluation.</p> <p>2. SME Dr. Dorothy Edwards 'Green Dot' engaged in curriculum development for USAFA in 2011/2012.</p> <p>    a. Cadet bystander intervention videos have been taped and are currently in editing.</p> <p>    b. A 'tiger team' has been established including Center for Character and Leadership Development, Department of Behavioral Sciences and Leadership, and SAPR as minimum members to write final lesson plans.</p> <p>- Closed</p>
78	Evaluate suggestions given to instill	The evaluation of suggestions to improve responsible drinking behavior here at

	responsible drinking behaviors and address them in training and education.	<p>USAFA is a continuous process. Provided are several examples of incorporating responsible drinking suggestions.</p> <ol style="list-style-type: none"> <li>1. SME Brett Sokolow JD’s primary work with SAPR curriculum was to address and provide training in alcohol-related sexual assaults.</li> <li>2. The Peak Performance Center (PPC) instituted the “That Guy” DoD sponsored responsible drinking behavior program in Oct 11.</li> <li>3. The PPC incorporated cadet feedback into “stall talker” flyers as part of the USAFA “That Guy” responsible drinking campaign.</li> <li>4. The PPC has aggressively partnered with HAPs (USAFA Bar) to promote responsible drinking.</li> <li>5. The PPC has partnered with the athletic department to hang “That Guy” Banners at multiple athletic events to promote responsible drinking.</li> <li>6. The PCC has established after hours outreach during his vis events (such as the Autumn Ball) and set up numerous outreach and prevention tables across USAFA.</li> <li>7. USAFA cadets took personal ownership in responsible drinking by revising Commandant of Cadets Instruction-201 instruction regarding cadet discipline in relation to alcohol infractions. The Cadet Wing took personal ownership in revising the instruction in an effort to reduce alcohol infractions at USAFA and curb inappropriate drinking behaviors.</li> </ol> <p>– Closed</p>
<b>79</b>	Assess the effectiveness of training that is not graded.	Please see response to Action Item Page Number 77.
<b>84</b>	Ensure training is applicable for cadets and vary mediums to prevent message fatigue.	<p>Message fatigue is a common issue with USAFA SAPR training. To remedy this ‘moving target’, SAPR utilizes multiple mediums of training such as:</p> <ol style="list-style-type: none"> <li>a. Guest Speaker “edutainment” presentations such as Sex Signals, “May I Kiss You?”.</li> <li>b. SMEs Guest Speaker lecturers such as Anne Munch &amp; Russ Strand.</li> <li>c. Web Technology: ‘eSARC’ is in the final stages of development and will include confidential victim support groups that meet on line, facilitated by SAPR staff and PPC/Mental Health providers.</li> <li>d. Classroom Lecture</li> <li>e. Interactive cadet SAPR BIT training videos developed for the Green Dot program.</li> </ol> <p>– Closed</p>
<b>85</b>	Address collateral misconduct	1. SAPR currently addresses collateral misconduct for 4* their 2 <sup>nd</sup> day of BCT by

	misperceptions in training.	<p>definition. Collateral misconduct is also addressed during the 90 min guest lecturer series during BCT.</p> <p>2. For upper 3 classes, it is addressed during annual cadet SAPR refresher training.</p> <p>3. The Vice Commandant for Culture &amp; Climate provides training to AOCs &amp; AMTs at least annually to promote their understanding of it, and its relation to the DoD 'lighter &amp; later' policy as it relates to Unrestricted reports.</p> <p>4. CWPK is working with leadership regarding the issue of lighter and later regarding victims through the Academy Response Team (ART) meeting &amp; ART updates to the Commandant &amp; Superintendent. The issue of bystander's collateral misconduct is being discussed currently at these forums.</p> <p>5. Recent DoD changes to policy and statutes such as the repeal of DADT &amp; the even more recent DoD changes to SAPR; which are now statutory, are driving all services to change SAPR policy, for example, removing homosexual behavior as a type of collateral misconduct.</p> <p>6. The AF received the new DoD statutes in late Jan 2012 and is pushing them out to the branches who will in turn rewrite much of the current SAPR guidance. We are still awaiting further guidance in order to effectively address the misperceptions. – Ongoing</p> <p>7. Dependent upon AF rewrite of new DoD SAPR guidance regarding definitions, changes to collateral misconduct, procedures, and policy. Many of these changes have significant impact on the SAPR program &amp; must be done carefully &amp; thoughtfully.</p>
85	Evaluate all reasons for not reporting and address them appropriately in training and educational materials.	<p>USAFA SAPR continually works to identify and address the barriers to reporting as we know "today". These reporting barriers are a "moving target" and will be continued to be addressed as new ones are identified.</p> <p>- Closed</p>
87	Establish a second SARC to support other units.	<p>1. SAPR is currently working with leadership to establish &amp; fund this position. USAFA SAPR has written a training specialist core document and will request this position.</p> <p>2. SAPR recently upgraded the Admin Assistant position to a GS-09/11 SAPR Specialist and has submitted a waiver to permit this individual to act as the Alternate SARC.</p> <p>3. 10ABW/CV and CWP met in April and they are attempting to determine if any manning is available from AF.</p> <p>4. Requires further study to assess workload, manning, funding, location, etc. – Ongoing</p>

87	Utilize VWL as the single point of contact for sexual assault victims in the military justice process.	Victims are provided a DD Form 2701 by first responders. The VWAP coordinator follows up with victims after a reasonable period of time. Usually within a week. When a VWL is assigned, he or she is the point of contact for military justice matters. Investigators and Trial counsel also interact with the victim as appropriate. – Closed 17 Feb 2012
87	Conduct refresher training for the SAPR Staff with the Chief of Military Justice.	1. SAPR continues to and currently has implemented annual, specialized training for our JA from Anne Munch, Russ Strand, and Veraunda Jackson in terms of victimology, use of expert witnesses, victim support, psychological evidence, consent and other affirmative defenses, and related. 2. Additionally USAFA SAPR funds JA staff to attend special trainings and conferences regarding sexual assault to include TDY and training cost / fees. – Closed
88	Reinforce messaging to Air Officers Commanding on reporting options and their role in the Unrestricted reporting process.	1. Currently SAPR is engaging AOCs & AMTs via their regular in-service trainings. The SARC has provided two specialized trainings in the Fall to assist them in presenting the SAPR training to the upper 3 classes. 2. The SARC recorded a DVD for each AOC to utilize in their annual training to provide a standard, consistent message to all cadets regarding definitions, consent, collateral misconduct, & response to sexual assaults. 3. SAPR also provides training to the AOC cohorts; they are Masters program students that will become AOCs. This includes their role in Unrestricted reporting. – Closed
88	Update PPC and mental health providers' local operating procedures and intake documentation.	The PPC updated its Informed Consent checklist to account for the AFI 36-6001 disclosure conflict with the SARC. The PPC has also created a process in which to work with SAPR personnel in regards to notifying them of sexual assaults identified during counseling sessions. – Closed April 2012
89	The SARC and Deputy SARC should meet every six months with Memorial Hospital's SANE Manager to review the MOU, procedures that have changed, address how cases have been handled, and to make recommendations for improvement.	1. USAFA SAPR is currently working closely with Memorial Hospital. The SARC provided training & attended the Sexual Assault Nurse Examiner (SANE) provider's staff meeting in May 2011 & again in November/December of 2011 for a specialized training. 2. This relationship has been established, is ongoing, and should be considered complete. – Closed
90	Allow Security Forces to attend the annual Sexual Assault Investigations Training Conference.	If manning permits, 10 SFS will send investigators to the conference. – Closed 15 Feb 2012
92	Consolidate all POSH and SAPR outcome	Please see response to Action Item Page Number 77.

	data and metrics into a single product organized by the Department's strategic priorities.	
93	Include SARC feedback in AFOSI debriefs.	After consulting with DoD/SAPRO office, AFOSI received a list of potential debrief topics to cover with the SARC after investigations are complete. AFOSI will incorporate these suggestions into future debriefs with the SARC office. – Closed 23 Feb 2012
93	Collaborate with and report the dispositions and sentences for wrongful sexual contact allegations	The SAPR program collaborates weekly with JA&OSI during weekly Commander's Stand-Up meetings and twice monthly for the Superintendents ART prep and ART meetings. This collaboration process is in place and has been working well. AFOSI will continue to work with 10 <sup>th</sup> Security Forces Investigators to accurately document and report all instances of wrongful sexual contact. – Closed 23 Feb 2012
93	Coordinate with the Air Force Judge Advocate General to ensure, as appropriate, the incoming Chief of Military Justice attends a specialized sexual assault prosecution course.	The Chief of Justice and trial counsel look for opportunities to attend professional development training to include Trials Team, and the Trial and Defense Advocacy Course (TDAC) and other courses. JA has taken advantage of local specialized sexual assault prosecution courses and will look for opportunities to attend other specialized courses. JA also stays current with online training on sexual assault issues. – Closed 17 Feb 2012
93	Document completely and consistently the case disposition and offender sentencing in case records.	The Military Justice Section keeps records of the case disposition and sentencing in all cases that result in an Article 15 or court martial in The Automated Military Justice Analysis & Management System (AMJAMS). – Closed 17 Feb 2012
94	Monitor EO staffing to prevent extended vacancies or shortages.	Report states: "Prevention of extended staffing vacancies or shortages is currently closely monitored to ensure a continuity of quality services and support to the USAFA". EO Director will continue to closely monitor. – Closed
97	USAFA should improve its efforts to communicate and coordinate with its community partners to leverage these resources more effectively. Inclusion of these relevant community members in USAFA SAPR functions and initiatives may improve overall communication and	USAFA has worked hard to strengthen ties with community partners both on and off USAFA. USAFA SARC provided in-service training to Memorial Hospital SANE staff and calls the SANE Director frequently to consult on and refer cases for exams. Due to increased mutual sharing of trend info with Memorial SANEs, Memorial SANE program shared a training protocol with USAFA medical and investigative first responders regarding assessment of physical injury resulting from choking of sexual assault victims. A USAFA VA serves on the Colorado

	increase service usage among cadets	Springs Advocate Response Team attending their monthly meetings, and providing teaching to their new volunteer VAs. The other USAFA VA provides bi-annual training to the new volunteer VAs from the combined Front Range Bases SAPR VA training program. USAFA SAPR invited community partners to attend the Green Dot facilitator training August 2011, local school counselors, TESSA, Ft. Carson, and other Front Range Bases attended. Several cadets utilize TESSA survivor group and individual counseling services. USAFA SARC provided multiple presentations to sophomore and junior high school students at Academy High School –Spring 2012.
97	USAFA should continue to strengthen its cross-training with local community resources on each other’s roles, the roles of command, the Military Justice process, the military’s policies and procedures respecting the USAFA SAPR Program as well as pertinent aspects of military culture and customs.	USAFA SAPR includes Colorado Springs and El Paso County law enforcement and investigators, and attorneys, Ft. Carson law enforcement and investigators/JA, as well as our Front Range Air Force bases investigators/JA to attend all relevant training to include presentations by SMEs such as Anne Munch and Russ Strand. Due to several cases this past APY having shared investigations, relationships with local LE and JA have been strengthened. – Closed
97	Expand training with local resources to include other military installations in the Colorado Springs area.	This has been in place for the past four years. USAFA SAPR shares training resources and programs with our community partners such as with TESSA, local law enforcement, local high schools, local universities, and the Colorado Coalition of Colleges with Sexual Assault Programs. These agencies have attended the Green Dot Curriculum training in August 2011, and are invited to attend any special guest presentation such as Sex Signals, Mike Domitrz, Russ Strand, etc. We also invite front range bases to attend. They also share their trainings with us. – Closed
97	USAFA leadership should consider training volunteer SAPRO Victim Advocates (VAs) and/or additional full-time staff to work with victims originating within the Air Base Wing, the Preparatory School, and the Pueblo populations. At least two full-time SAPR VAs should continue to concentrate on the cadets.	USAFA leadership (CW and ABW vices, and SARC) met March 2012 to begin to assess the feasibility of adding additional SAPR staff at the ABW, in particular, a separate SARC to serve the ABW, Prep School, and GSU at Pueblo. Simultaneously, the AF is attempting to add a full-time, GS, victim advocate position to each installation, though no time frame has been established by AF for this VA position. Duties and core documents are being discussed in the interim. It may be possible to use volunteer VAs in conjunction with the above action item (p. 87) to establish a second SARC. Further study is required, especially with Civilian Personnel Office concerns over having both paid VAs and volunteer VAs.





<b>ACADEMIC PROGRAM YEAR 2011 - 2012 SUMMARY OF UNRESTRICTED SEXUAL ASSAULT REPORTS INVOLVING CADETS/MIDSHIPMEN</b>	<b>APY11-12 Totals</b>
<b>Total Cadet/Midshipman victims in all investigations closed in APY11-12*</b>	<b>10</b>
<b>Cadet/Midshipman victims whose reports of sexual assault could be substantiated this APY*</b>	<b>3</b>
<b>Total Cadet/Midshipman subjects in all investigations closed in APY11-12**</b>	<b>8</b>
<b>Cadet/Midshipman subjects against whom sexual assault reports could be substantiated this APY**</b>	<b>3</b>
<b>Sexual Assault Investigations Involving Cadet/Midshipman Opened and Completed in APY11-12</b>	<b>APY11-12 Totals</b>
# Cadet/Midshipman victims identified in investigations initiated and closed in APY11-12*	3
# Cadet/Midshipman victims whose reports of sexual assault could be substantiated*	1
# Cadet/Midshipman subjects identified in investigations initiated and closed in APY11-12	2
# Cadet/Midshipman subjects against whom sexual assault reports could be substantiated	1
<b>Sexual Assault Investigations Involving Cadet/Midshipman Opened Prior to APY11-12 and Completed in APY11-12</b>	<b>APY11-12 Totals</b>
# Cadet/Midshipman victims identified in Pre-APY11-12 investigations closed in APY11-12*	7
# Cadet/Midshipman victims whose reports of sexual assault could be substantiated*	2
# Cadet/Midshipman subjects identified in Pre-APY11-12 investigations closed in APY11-12	6
# Cadet/Midshipman subjects against whom sexual assault reports could be substantiated	2
*Does not include victims from Restricted Reports, per mandate in PL 111-383; Also does not include victims from investigations where command action had yet to be reported.	
**Does not include subjects from investigations where command action had yet to be reported.	
<b>ACADEMIC PROGRAM YEAR 2012 SUMMARY OF RESTRICTED SEXUAL ASSAULT REPORTS INVOLVING Cadets/Midshipmen</b>	
	<b>APY11-12 Totals</b>
<b># Cadet/Midshipman Victims initially making Restricted Reports</b>	<b>33</b>
<b># Cadet/Midshipman Victims who converted from Restricted Report to Unrestricted Report in the current APY</b>	<b>2</b>
<b># Cadet/Midshipman Victim Reports Remaining Restricted</b>	<b>31</b>

## 1. Unrestricted Reports

UNITED STATES AIR FORCE ACADEMY APY11-12 UNRESTRICTED REPORTS OF SEXUAL ASSAULTS	
<b>A. APY11-12 REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses) BY or AGAINST Cadets/Midshipmen.</b>	<b>APY11-12 Totals</b>
Note: The data about Unrestricted Reports in Sections A and B below is raw, uninvestigated information about allegations received during APY11-12. These Reports may not be fully investigated by the end of the Academic Program year.	
<b># VICTIMS in APY11-12 Unrestricted Reports</b>	<b>20</b>
# Cadet/Midshipman victims	14
# Non-Cadet/Midshipman victims	6
<b># Unrestricted Reports in the following categories</b>	<b>21</b>
# Cadet/Midshipman on Cadet/Midshipman	8
# Cadet/Midshipman on Non-Cadet/Midshipman	7
# Non-Cadet/Midshipman on Cadet/Midshipman	4
# Unidentified Subject on Cadet/Midshipman	2
<b># Unrestricted Reports of sexual assault occurring</b>	<b>21</b>
# On Academy Grounds	6
# Off Academy Grounds	14
# Unidentified location	1
<b># Investigations Initiated (From APY11-12 Unrestricted Reports)</b>	<b>21</b>
# Investigations pending completion as of 31 May 12	13
<b># Completed Investigations as of 31 May 12</b>	<b>8</b>
<b># All Restricted Reports received in APY11-12</b>	<b>33</b>
# Converted from Restricted Report to Unrestricted Report*	2
<b># APY11-12 RESTRICTED REPORTS REMAINING RESTRICTED</b>	<b>31</b>
<b>B. DETAILS OF UNRESTRICTED REPORTS RECEIVED IN APY11-12</b>	<b>APY11-12 Totals</b>
<b>Length of time between sexual assault and Unrestricted Report</b>	<b>21</b>
# Reports made within 3 days of sexual assault	0
# Reports made within 4 to 30 days after sexual assault	1
# Reports made within 31 to 365 days after sexual assault	9
# Reports made longer than 365 days after sexual assault	11
# Unknown	0
<b>Time of sexual assault</b>	<b>21</b>
# Midnight to 6 am	5
# 6 am to 6 pm	1
# 6 pm to midnight	9
# Unknown	6
<b>Day of sexual assault</b>	<b>21</b>
# Sunday	1
# Monday	3
# Tuesday	1
# Wednesday	2
# Thursday	4
# Friday	1
# Saturday	8
# Unknown	1
<b>C. SUMMARY OF ALL INVESTIGATIONS OF UNRESTRICTED REPORTS COMPLETED IN APY11-12</b>	<b>APY11-12 Totals</b>
<b># Total Investigations completed during APY11-12</b>	<b>15</b>
# Investigations opened in APY11-12 and completed in APY11-12	8
# Of these investigations with more than one victim, more than one subject, or both	0
# Investigations opened prior to APY11-12 and completed in APY11-12	7
# Of these investigations with more than one victim, more than one subject, or both	1
<b># SUBJECTS in all investigations completed during APY11-12</b>	<b>13</b>
<b># Cadet/Midshipman subjects in completed investigations</b>	<b>11</b>
# Your Cadet/Midshipman subjects investigated by your Service	11
# Other Service Cadet/Midshipman subjects investigated by your Service	0
# Non-Cadet/Midshipman subjects in your Service's investigations	0
# Unidentified subjects in your Service's investigations	2
<b># VICTIMS in all investigations completed during APY11-12</b>	<b>15</b>
<b># Cadet/Midshipman victims</b>	<b>12</b>
# Cadet/Midshipman victims in own Service's investigations	12
# Other Service Cadet/Midshipman victims in your Service's investigations	0
# Non-Cadet/Midshipman victims in your Service's investigations	3
# Unidentified victims in your Service's investigations	0

D. FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED APY11-12 INVESTIGATIONS	APY11-12 Totals	D1. ASSOCIATED VICTIM DATA FOR COMPLETED APY11-12 INVESTIGATIONS	APY11-12 Totals
# Investigations opened in APY11-12 and completed in APY11-12	8	# VICTIMS in investigations opened in APY11-12 and completed in APY11-12	7
# SUBJECTS in investigations opened in APY11-12 and completed in APY11-12	6	# Cadet/Midshipman Victims in investigations opened and completed in APY11-12	5
# Cadet/Midshipman Subjects in investigations opened and completed in APY11-12	5	# Total Victims associated with MCIO unfounded allegations	0
# Total Subjects with allegations unfounded by a Military Criminal Investigative Organization	0	# Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Cadet/Midshipman Subjects with allegations unfounded by MCIO	0	# Non-Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Non-Cadet/Midshipman Subjects with allegations unfounded by MCIO	0		
# Total Subjects Outside DoD Prosecutive Authority	1	# Cadet/Midshipman Victims in substantiated Unknown Offender Reports	0
# Unknown Offenders	1	# Cadet/Midshipman Victims in remaining Unknown Offender Reports	1
# US Civilians or Foreign National Subjects not Subject to the UCMJ	0	# Cadet/Midshipman Victims in substantiated Civilian/Foreign National Subject Reports	0
# Cadet/Midshipman Prosecuted by a Civilian or Foreign Authority	0	# Cadet/Midshipman Victims in remaining Civilian/Foreign National Subject Reports	0
# Subjects who died or deserted	0	# Cadet/Midshipman Victims in substantiated reports against a Cadet/Midshipman who is being Prosecuted by a Civilian/Foreign Authority	0
# Total Command Action Precluded or Declined for Sexual Assault	1	# Cadet/Midshipman Victims in substantiated reports with a deceased or deserted subject	0
# Cadet/Midshipman Subjects where victim declined to participate in the military justice action	1	# Cadet/Midshipman Victims in remaining reports with a deceased or deserted subject	0
# Cadet/Midshipman Subjects whose investigations had insufficient evidence to prosecute	0	# Cadet/Midshipman victims who declined to participate in the military justice action	1
# Cadet/Midshipman Subjects whose cases involved expired statute of limitations	0	# Cadet/Midshipman victims in investigations having insufficient evidence to prosecute	0
# Cadet/Midshipman Subjects with allegations that were unfounded by Command	0	# Cadet/Midshipman victims whose cases involved expired statute of limitations	0
# Cadet/Midshipman Subjects with victims who died before completion of military justice action	0	# Cadet/Midshipman victims whose allegations were unfounded by Command	0
# Subjects still awaiting command action as of 31 May 12	3	# Cadet/Midshipman victims who died before completion of the military justice action	0
# Subjects for whom command action was completed as of 31 May 12	1	# Cadet/Midshipman Victims still awaiting command action on a subject as of 31 May 12	2
# APY11-12 Cadet/Midshipman Subjects where evidence supported Command Action	1	# APY11-12 Cadet/Midshipman Victims in cases where evidence supported Command Action	1
# Cadet/Midshipman Subjects: Courts-Martial charge preferred (Initiated)	1	# Cadet/Midshipman Victims involved with Court-martial preferrals (Initiations) against subject	1
# Cadet/Midshipman Subjects: Nonjudicial punishments (Article 15 UCMJ)	0	# Cadet/Midshipman Victims involved with Nonjudicial punishments (Article 15) against subject	0
# Cadet/Midshipman Subjects: Administrative discharges	0	# Cadet/Midshipman Victims involved with Administrative discharges against subject	0
# Cadet/Midshipman Subjects: Other adverse administrative actions	0	# Cadet/Midshipman Victims involved with Other administrative actions against subject	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with Court-martial preferrals for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Non-judicial punishment for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with Nonjudicial punishment for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Administrative discharges for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with administrative discharges for non-SA offense	0
# Cadet/Midshipman Subjects: Other adverse administrative actions for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with Other administrative actions for non-SA offense	0
E. FINAL DISPOSITIONS FOR SUBJECTS IN Pre-APY11-12 INVESTIGATIONS (Prior year investigations completed in APY11-12)	APY11-12 Totals	E1. ASSOCIATED VICTIM DATA FOR COMPLETED Pre-APY11-12 INVESTIGATIONS	APY11-12 Totals
# Total Number of Pre-APY11-12 Investigations pending completion at the end of APY10-11 (31-May-11)	8	# VICTIMS in investigations opened prior to APY11-12 and completed in APY11-12	8
# Pre-APY11-12 Investigations STILL PENDING completion as of 31-May-12	0	# Cadet/Midshipman Victims in investigations opened prior to APY11-12 and completed in APY11-12	7
# Pre-APY11-12 Investigations completed of 31 May 12	8	# Total Pre-APY11-12 Victims associated with MCIO unfounded allegations	1
# SUBJECTS in Pre-APY11-12 investigations completed by 31-May-12	7	# Cadet/Midshipman Victims involved in MCIO unfounded allegations	1
# Cadet/Midshipman Subjects in Pre-APY11-12 investigations completed in APY11-12	6	# Non-Cadet/Midshipman Victims involved in MCIO unfounded allegations	0
# Total Pre-APY11-12 Subjects with allegations unfounded by MCIO	1	# Cadet/Midshipman Victims in substantiated Unknown Offender Reports	0
# Cadet/Midshipman Subjects with allegations unfounded by MCIO	1	# Cadet/Midshipman Victims in remaining Unknown Offender Reports	1
# Non-Cadet/Midshipman Subjects with allegations unfounded by MCIO	0	# Cadet/Midshipman Victims in substantiated Civilian/Foreign National Subject Reports	0
# Total Pre-APY11-12 Subjects Outside DoD Prosecutive Authority	1	# Cadet/Midshipman Victims in remaining Civilian/Foreign National Subject Reports	0
# Unknown Offenders	1	# Cadet/Midshipman Victims in substantiated reports against a Cadet/Midshipman who is being Prosecuted by a Civilian/Foreign Authority	0
# US Civilians or Foreign National Subjects not Subject to the UCMJ	0	# Cadet/Midshipman Victims in substantiated reports with a deceased or deserted subject	0
# Cadet/Midshipman Prosecuted by a Civilian or Foreign Authority	0	# Cadet/Midshipman Victims in remaining reports with a deceased or deserted subject	0
# Subjects who died or deserted	0	# Cadet/Midshipman victims who declined to participate in the military justice action	1
# Total Command Action Precluded or Declined for Sexual Assault	3	# Cadet/Midshipman victims in investigations having insufficient evidence to prosecute	0
# Cadet/Midshipman Subjects where victim declined to participate in the military justice action	1	# Cadet/Midshipman victims whose cases involved expired statute of limitations	0
# Cadet/Midshipman Subjects whose investigations had insufficient evidence to prosecute	0	# Cadet/Midshipman victims whose allegations were unfounded by Command	2
# Cadet/Midshipman Subjects whose cases involved expired statute of limitations	0	# Cadet/Midshipman victims who died before completion of the military justice action	0
# Cadet/Midshipman Subjects with allegations that were unfounded by Command	2	# Cadet/Midshipman Victims still awaiting command action on a subject as of 31 May 12	0
# Cadet/Midshipman Subjects with victims who died before completion of military justice action	0	# Pre-APY11-12 Cadet/Midshipman Victims in cases where evidence supported Command Action	2
# Subjects still awaiting command action as of 31-May-12	0	# Cadet/Midshipman Victims involved with Court-martial preferrals (Initiations) against subject	1
# Subjects for whom command action was completed as of 31-May-12	2	# Cadet/Midshipman Victims involved with Nonjudicial punishments (Article 15) against subject	0
# Pre-APY11-12 Cadet/Midshipman Subjects where evidence supported Command Action	2	# Cadet/Midshipman Victims involved with Administrative discharges against subject	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred (Initiated)	2	# Cadet/Midshipman Victims involved with Other administrative actions against subject	1
# Cadet/Midshipman Subjects: Nonjudicial punishments (Article 15 UCMJ)	0	# Cadet/Midshipman Victims involved with Court-martial preferrals for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Administrative discharges	0	# Cadet/Midshipman Victims involved with Nonjudicial punishment for non-sexual assault offenses	0
# Cadet/Midshipman Subjects: Other adverse administrative actions	0	# Cadet/Midshipman Victims involved with administrative discharges for non-SA offense	0
# Cadet/Midshipman Subjects: Courts-Martial charge preferred for non-sexual assault offense	0	# Cadet/Midshipman Victims involved with Other administrative actions for non-SA offense	0
# Cadet/Midshipman Subjects: Non-judicial punishment for non-sexual assault offense	0		
# Cadet/Midshipman Subjects: Administrative discharges for non-sexual assault offense	0		
# Cadet/Midshipman Subjects: Other adverse administrative actions for non-sexual assault offense	0		

\* Restricted Reports that convert to Unrestricted Reports are counted with the total number of Unrestricted Reports.



G. REPORTED SEXUAL ASSAULTS INVOLVING Cadet/Midshipman (BY or AGAINST Cadet/Midshipman) IN THE FOLLOWING CATEGORIES FOR ALL APY11-12 INVESTIGATIONS Note: The data in this section is drawn from raw, uninvestigated information about Unrestricted Reports received during APY11-12. These Reports may not be fully investigated by the end of the Academic Program year.	Rape (Art. 120)	Aggravated Sexual Assault (Art. 120)	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact (Art. 120)	Non-Consensual Sodomy (Art. 125)	Indecent Assault (Art. 134) (Pre-FY07)	Attempts to Commit Offenses (Art. 80)	Rape (Art. 120)	Aggravated Sexual Assault* (Art. 120) After June 28, 2012 this becomes "Sexual Assault"	Aggravated Sexual Contact (Art. 120)	Abusive Sexual Contact (Art.120)	Wrongful Sexual Contact* (Art. 120) After June 28, 2012, discontinue use of this category.	Non-Consensual Sodomy (Art. 125)	Attempts to Commit Offenses (Art. 80)	APY11-12 Totals
	I. DEMOGRAPHICS ON SUBJECTS IN INVESTIGATIONS COMPLETED IN APY11-12 Note: The information below is drawn from all investigations that were closed during APY11-12, and does not correspond to the data reported in sections F and G, above.	Subject Data From Investigations Opened in Prior Years, but closed during APY11-12								Subject Data From Investigations Opened and Closed in APY11-12						
<b>Gender of SUBJECTS</b>	1	5	1	0	0	0	0	0	3	2	1	0	0	0	0	13
# Male	1	5	1	0	0	0	0	0	2	2	1	0	0	0	0	12
# Female	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
<b>Age of SUBJECTS</b>	1	5	1	0	0	0	0	0	3	2	1	0	0	0	0	13
# 16-19	0	1	1	0	0	0	0	0	0	1	1	0	0	0	0	4
# 20-24	1	3	0	0	0	0	0	0	2	1	0	0	0	0	0	7
# 25-34	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 35-49	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 50-64	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# 65 and older	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	2
<b>Subject Type</b>	1	5	1	0	0	0	0	0	3	2	1	0	0	0	0	13
# Service Member	1	4	1	0	0	0	0	0	2	2	1	0	0	0	0	11
# DoD Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# DoD Contractor	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Other US Government Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# US Civilian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Foreign national	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Foreign military	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	2
<b>Grade of SUBJECTS</b>	1	5	1	0	0	0	0	0	3	2	1	0	0	0	0	13
# 1st Year	0	2	1	0	0	0	0	0	0	0	1	0	0	0	0	4
# 2nd Year	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	2
# 3rd Year	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	2
# 4th Year	1	1	0	0	0	0	0	0	1	0	0	0	0	0	0	3
# Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Active Duty Service Member	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Non-Service Member	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	2
<b>Service of Service Member SUBJECTS</b>	1	5	1	0	0	0	0	0	3	2	1	0	0	0	0	13
# Army	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Navy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Marines	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Air Force	1	4	1	0	0	0	0	0	2	2	1	0	0	0	0	11
# Coast Guard	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	2
<b>Status of Service Member SUBJECTS</b>	1	5	1	0	0	0	0	0	3	2	1	0	0	0	0	13
# Active Duty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Reserve (Activated)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# National Guard (Activated - Title 10)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Cadet/Midshipman	1	4	1	0	0	0	0	0	2	2	1	0	0	0	0	11
# Academy Prep School Student	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
# Unknown	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	2

\*NOTE: Pursuant to the Academic Program Year 2012 National Defense Authorization Act change to Article 120 of the Uniform Code of Military Justice, these categories will change on June 28, 2012.

## 2. Restricted Reports

UNITED STATES AIR FORCE ACADEMY APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT	
<b>A. APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT (rape, aggravated sexual assault, aggravated sexual contact, abusive sexual contact, wrongful sexual contact, non-consensual sodomy, and attempts to commit these offenses)</b>	<b>APY11-12 TOTALS</b>
<b># TOTAL victims initially making Restricted Reports</b>	<b>33</b>
# Cadet/Midshipman victims making Restricted Reports	33
# Non-Cadet/Midshipman, Adult Dependent and Service Member Victims making Restricted Report involving a Cadet/Midshipman Subject	0
<b># Total victims who converted from Restricted Report to Unrestricted Report in the current APY*</b>	<b>2</b>
# Cadet/Midshipman victims who converted from Restricted Report to Unrestricted Report in current APY	2
# Non-Cadet/Midshipman, Adult Dependent and Service Member Victims who converted from Restricted Report to Unrestricted Report in current APY	0
<b># TOTAL victim reports remaining Restricted</b>	<b>31</b>
# Cadet/Midshipman victim reports remaining Restricted	31
# Non-Cadet/Midshipman, Adult Dependent and Service Member Victim reports remaining Restricted	0
<b># Reported sexual assaults involving Cadet/Midshipman in the following categories</b>	<b>33</b>
# Cadet/Midshipman on Cadet/Midshipman	18
# Non-Cadet/Midshipman on Cadet/Midshipman	15
# Cadet/Midshipman on Non-Cadet/Midshipman (entitled to a RR by DoD Policy)	0
# Unidentified subject on Cadet/Midshipman	0
<b>B. INCIDENT DETAILS</b>	<b>APY11-12 TOTALS</b>
<b># Reported sexual assaults occurring</b>	<b>33</b>
# On Academy Grounds	9
# Off Academy Grounds	24
# Unidentified location	0
<b>Length of time between sexual assault and Restricted Report</b>	<b>33</b>
# Reports made within 3 days of sexual assault	8
# Reports made within 4 to 30 days after sexual assault	4
# Reports made within 31 to 365 days after sexual assault	6
# Reports made longer than 365 days after sexual assault	15
# Unknown	0
<b>Time of sexual assault incident</b>	<b>33</b>
# Midnight to 6 am	2
# 6 am to 6 pm	4
# 6 pm to midnight	23
# Unknown	4
<b>Day of sexual assault incident</b>	<b>33</b>
# Sunday	0
# Monday	6
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	1
# Saturday	4
# Unknown	22
<b>C. RESTRICTED REPORTING - VICTIM SERVICE AFFILIATION</b>	<b>APY11-12 TOTALS</b>
<b># Service Member VICTIMS</b>	<b>33</b>
# Army victims	0
# Navy victims	0
# Marines victims	0
# Ar Force victims	33
# Coast Guard	0
# Unknown	0
<b>D. DEMOGRAPHICS FOR APY11-12 RESTRICTED REPORTS OF SEXUAL ASSAULT</b>	<b>APY11-12 TOTALS</b>
<b>Gender of VICTIMS</b>	<b>33</b>
# Male	0
# Female	33
# Unknown	0
<b>Age of VICTIMS</b>	<b>33</b>
# 16-19	17
# 20-24	16
# 25-34	0
# 35-49	0
# 50-64	0
# 65 and older	0
# Unknown	0
<b>Grade of Service Member VICTIMS Grade</b>	<b>33</b>
# 1st Year	13
# 2nd Year	4
# 3rd Year	10
# 4th Year	6
# Prep School Student	0
# Service Member	0
# Unknown	0
<b>Status of Service Member VICTIMS</b>	<b>33</b>
# Active Duty	0
# Reserve (Activated)	0
# National Guard (Activated - Title 10)	0
# Cadet/Midshipman	33
# Academy Prep School Student	0
# Unknown	0
<b>VICTIM Type</b>	<b>33</b>
# Service Member	33
# DoD Civilian	0
# DoD Contractor	0
# Other US Government Civilian	0
# US Civilian (Service Member Dependent Over Age 18)	0
# Foreign national	0
# Foreign military	0
# Unknown	0
<b>E. RESTRICTED REPORTING FOR A SEXUAL ASSAULT THAT OCCURRED PRIOR TO JOINING SERVICE</b>	<b>APY11-12 TOTALS</b>
<b># Cadet/Midshipman VICTIMS making a Restricted Report for Incidents Occurring Prior to Military Service</b>	<b>11</b>
# Cadet/Midshipman Making A Restricted Report for an Incident that Occurred Prior to Age 18	11
# Cadet/Midshipman Making a Restricted Report for an Incident that Occurred After Age 18	0
# Cadet/Midshipman Choosing Not to Specify	0
<b>F. RESTRICTED REPORTS CONVERSION DATA (DSAID USE ONLY)</b>	<b>APY11-12 TOTALS</b>
Mean # of Days Taken to Change to Unrestricted	0
Standard Deviation of the Mean For Days Taken to Change to Unrestricted	0
Mode # of Days Taken to Change to Unrestricted	0
* The Restricted Reports are reports that converted to Unrestricted Reports are counted in the total number of Unrestricted Reports listed in Worksheet 1a, Section A.	

### 3. Victims Services

UNITED STATES AIR FORCE ACADEMY APY11-12 SUPPORT SERVICES FOR VICTIMS OF SEXUAL ASSAULT	
<i>NOTE: Totals of referrals and military protective orders are for all activities during the reporting period, regardless of when the sexual assault report was made.</i>	
<b>A. SUPPORT SERVICE REFERRALS TO CADET/MIDSHIPMAN AND SERVICE MEMBER VICTIMS FROM UNRESTRICTED REPORTS:</b>	<b>APY11-12 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY Resources (Referred by DoD)</b>	<b>33</b>
# Medical	1
# Mental Health	14
# Legal	0
# Chaplain/Spiritual Support	4
# Rape Crisis Center	0
# Victim Advocate/Uniformed Victim Advocate	14
# DoD Safe Helpline	0
# Other	0
<b># CIVILIAN Resources (Referred by DoD)</b>	<b>0</b>
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate	0
# DoD Safe Helpline	0
# Other	0
<b># Cases where SAFEs were conducted</b>	<b>0</b>
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	<b>0</b>
<b># Service Member victims making an Unrestricted Report for an incident that occurred prior to military service</b>	<b>1</b>
<b>B. APY11-12 MILITARY PROTECTIVE ORDERS (MPO)* AND TRANSFERS - UNRESTRICTED REPORTS</b>	<b>APY11-12 TOTALS</b>
<b># Military Protective Orders issued during APY11-12</b>	<b>5</b>
<b># Reported MPO Violations in APY11-12</b>	<b>1</b>
# Reported MPO Violations by Subjects	0
# Reported MPO Violations by Victims of sexual assault	0
# Reported MPO Violations by Both	1
<i>*In accordance with DoD Policy, Military Protective Orders are only issued in Unrestricted Reports. A Restricted Report cannot be made when there is a safety risk for the victim.</i>	
# Unit/Duty transfer requests by Cadet/Midshipman victims of sexual assault	0
# Unit/Duty transfer requests by Cadet/Midshipman victims Denied	0
# Installation Transfer requests by Cadet/Midshipman victims of sexual assault	0
# Installation transfer requests by Cadet/Midshipman victims Denied	0
<b>C. SUPPORT SERVICE REFERRALS FOR Cadet/Midshipman AND SERVICE MEMBER VICTIMS IN RESTRICTED REPORTS:</b>	<b>APY11-12 TOTALS</b>
<b># Support service referrals for VICTIMS in the following categories</b>	
<b># MILITARY Resources (Referred by DoD)</b>	<b>69</b>
# Medical	3
# Mental Health	31
# Legal	1
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate/Uniformed Victim Advocate	27
# DoD Safe Helpline	0
# Other	1
<b># CIVILIAN Resources (Referred by DoD)</b>	<b>2</b>
# Medical	1
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	1
# Victim Advocate	0
# DoD Safe Helpline	0
# Other	0
<b># Cases where SAFEs were conducted</b>	<b>1</b>
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	<b>0</b>
<b>CIVILIAN DATA</b>	
<b>D. SEXUAL ASSAULT SERVICES TO NON-SERVICE MEMBERS who were victimized by Cadet/Midshipman Subjects (DOD CIVILIANS, DEPENDENTS, CONTRACTORS, ETC)</b>	<b>APY11-12 TOTALS</b>
<b># Non-Cadet/Midshipman assisted in the following categories:</b>	<b>0</b>
# Cadet/Midshipman on Non-Service Member	0
# Non-Cadet/Midshipman on Non-Cadet/Midshipman	0
# Uniformed Spouse or Undeclared Affiliation on Non-Cadet/Midshipman	0
<b>Gender of Non-Service Member Assisted</b>	<b>6</b>
# Male	0
# Female	0
# Unknown	0
<b>Age of Non-Service Member Assisted</b>	<b>6</b>
# 16-19	2
# 20-24	0
# 25-34	0
# 35-49	0
# 50-64	0
# 65 and older	0
# Unknown	4
<b>Non-Service Member Type</b>	<b>6</b>
# DoD Civilian	0
# DoD Contractor	0
# Other US Government Civilian	0
# US Civilian	6
# Foreign National	0
# Foreign Military	0
# Unknown	0
<b># Support service referrals for Non-Service Members in the following categories</b>	
<b># MILITARY Resources (Referred by DoD)</b>	<b>3</b>
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	0
# Victim Advocate/Uniformed Victim Advocate	3
# DoD Safe Helpline	0
# Other	0
<b># CIVILIAN Resources (Referred by DoD)</b>	<b>2</b>
# Medical	0
# Mental Health	0
# Legal	0
# Chaplain/Spiritual Support	0
# Rape Crisis Center	2
# Victim Advocate	0
# DoD Safe Helpline	0
# Other	0
<b># Cases where SAFEs were conducted</b>	<b>3</b>
<b># Cases where SAFE kits or other needed supplies were not available at time of victim's exam</b>	<b>0</b>

APY11-12 Sexual Assault Synopses Report: United States Air Force Academy																	
No.	Offense Investigated	Location	Subject Grade	Subject Gender	Victim Grade	Victim Gender	Quarter Disposition Completed	Case Disposition	Court Case or Article 15 Outcome	Confinement	Fines and Forfeitures	Reduction in Rank	Punishments				Case Synopsis
													Court-Martial Discharge or Dismissal	Restriction	Hard Labor or Extra Duty	Correctional Custody (JUP Only)	
1	Rape	Off Academy Grounds	Unknown	Unknown	1st Year	Female	Q2	Unknown Subject									Victim reported that she was dating subject. At the time of the incident, victim's left arm was in a cast. She reported that subject held down her right arm and had intercourse with her. Victim refused to cooperate with investigation. Without victim's cooperation no subject could be identified and no further action could be taken.
2	Aggravated Sexual Assault	Off Academy Grounds	3rd Year	Male	1st Year	Female	Q3	Victim Declined to Participate in Military Justice Action									Victim was at a party off base. She drank alcohol and had trouble remembering much of the night. She remembered "waking up" in subject's room with her clothes mostly off, and the subject naked on top of her. Victim recalled he got up to get a condom then penetrated her, but additional detail could not be recalled. Criminal investigation was reviewed for prosecution. Upon legal review of facts with victim, victim declined to participate further in the military justice action.
3A	Wrongful Sexual Contact	Off Academy Grounds	3rd Year	Male	Civilian	Female	Q2	Court-Martial Charge Preferred (Initiated)	Acquittal								Subject was referred to court-martial for touching the victim's groin over her underwear and rubbing his penis on her back (along with charges from the investigations in Cases #3B and #3C on this sheet). Subject was acquitted of this charge, but found guilty on the others.
3B	Abusive Sexual Contact	On Academy Grounds	3rd Year	Male	Civilian	Female	Q2	Court-Martial Charge Preferred (Initiated)	Conviction	YES	YES			YES			Subject was referred to court-martial for fessing victim on the lips and unbuttoning and untopping her pants without consent and while she was substantially incapacitated (along with charges from the investigations in Cases #3A and #3C on this sheet). Subject was convicted of these charges and sentenced to six months of confinement, total forfeitures, and a dismissal from the Air Force.
3C	Abusive Sexual Contact	On Academy Grounds	3rd Year	Male	3rd Year	Female	Q2	Court-Martial Charge Preferred (Initiated)	Conviction	YES	YES			YES			Subject was referred to court-martial for placing the victim's hand on his penis without permission (along with charges from the investigations in Cases #3A and #3B on this sheet). Subject was convicted of these charges and sentenced to six months of confinement, total forfeitures, and a dismissal from the Air Force.
4	Rape	Off Academy Grounds	Unknown	Unknown	3rd Year	Female	Q2	Unknown Subject									Victim went to a local Colorado Springs bar and returned to USAFA in a taxi. It was stopped at an Entry Control Point, and she was sent to the hospital for alcohol poisoning. Victim refused to cooperate with the investigation. Without victim's cooperation no subject could be identified and no further action could be taken.
5	Aggravated Sexual Assault	On Academy Grounds	1st Year	Male	1st Year	Female	Q2	Victim Declined to Participate in Military Justice Action									Victim was at a dance with the subject. They were dancing with each other and subject put his hands down the front of her pants and digitally penetrated her. Criminal investigation was reviewed for prosecution. Upon legal review of facts with victim, victim requested to not participate further in the military justice action.
6	Aggravated Sexual Assault	On Academy Grounds	1st Year	Male	Civilian	Female	Q3	Court-Martial Charge Preferred (Initiated)	Charges Dismissed							Cadet Disciplinary System	Subject met victim at a party near Denver, Colorado. The victim returned to Colorado Springs with the subject and both were highly intoxicated. Victim and subject engaged in sexual intercourse in the USAFA dorms. Victim only recalled fragmentary memories of the sexual activity. Criminal investigation completed and forwarded to command for action. Command preferred court-martial charges, however they were dismissed after the Article 32 hearing. Command followed up with punishment in the Cadet Disciplinary System. Member received Cadet Discipline to include 30 demerits, 33 confinements, and 1 month restriction for having an unauthorized female guest in his dorm room after taps.
7A	Rape	Off Academy Grounds	4th Year	Male	4th Year	Female	Q2	Court-Martial Charge Preferred (Initiated)									Subject was reported to have forced the victim into sexual intercourse at a hotel in Castle Rock, Colorado, as one of the charges against him which also include charges that he abused his power as the victim's Honor NCO to force her into sexual favors and a dating relationship. Subject is pending trial for this allegation and the misconduct in 7B below.
7B	Wrongful Sexual Contact	On Academy Grounds	4th Year	Male	O-2	Female	Q2	Court-Martial Charge Preferred (Initiated)									Subject in case number #7A (above) was also identified in a separate allegation and investigation as having wrongfully touched the vagina of another victim and caused her to touch his penis without her permission. Subject is pending trial for this allegation and the misconduct in 7A above.



**Formal Sexual Harassment Reports at the US Military Service Academies APY11-12**

<p><b>A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:</b></p> <p>a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or</p> <p>b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or</p> <p>c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.</p>	<b>APY11-12 TOTALS</b>
<b>A. Formal Sexual Harassment Complaints (total)</b>	<b>0</b>
# Cadet/Midshipman Complainants	0
# Non-Cadet/Midshipman Complainants	0
<b>B. Location of Incident</b>	<b>0</b>
# On Academy Grounds	0
# Off Academy Grounds	0
# Unidentified location	0
<b>C. # Total Sexual Harassment Investigations opened during APY11-12</b>	<b>0</b>
# Investigations pending completion as of 31 May 12	0
# Completed investigations as of 31 May 12	0
<b>D. Sexual Harassment Details - Length of time between incident and formal report</b>	<b>0</b>
# Reports made within 60 days of the sexual harassment	0
# Reports made more than 60 days following the sexual harassment	0
# Unknown	0
<b>E. # Reports forwarded to General Court Martial Convening Authority</b>	<b>0</b>
# Reports forwarded to GCMCA within 72 Hours	0
# Reports forwarded to GCMCA beyond 72 Hours	0
<b>F. Time of Sexual Harassment Incident</b>	<b>0</b>
# Midnight to 6 am	0
# 6 am to 6 pm	0
# 6 pm to midnight	0
# Unknown	0
<b>G. Day of Sexual Harassment Incident</b>	<b>0</b>
# Sunday	0
# Monday	0
# Tuesday	0
# Wednesday	0
# Thursday	0
# Friday	0
# Saturday	0
# Unknown	0
<b>H. # APY11-12 COMPLETED INVESTIGATIONS</b>	<b>0</b>
# Investigations with more than one complainant, more than one subject, or both	0
# of Subjects in Completed Investigations	0
<b>I. APY11-12 FINAL DISPOSITIONS FOR SUBJECTS IN COMPLETED INVESTIGATIONS</b>	<b>0</b>
# Subjects with Unsubstantiated Complaints	0
# Pending command action as of 31 May 11	0
# Subjects for whom command action was completed of 31 May 12	0
<b>J. # Commander Actions (APY11-12 Subjects)</b>	<b>0</b>
# Courts-martial	0
# Nonjudicial Punishments	0
# Discharges in lieu of courts-martial	0
# Discharges in lieu of disciplinary actions	0
# Cadet Disciplinary System Actions	0
# Other adverse administrative actions	0

