



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

January 14, 2014

Change 2 dated June 19, 2015

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
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ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DoD FIELD ACTIVITIES

SUBJECT: Directive-type Memorandum (DTM) 14-001 – “Defense Sexual Assault Advocate Certification Program (D-SAACP)”

References: See Attachment 1

Purpose. This DTM:

- In accordance with the authority in DoD Directive (DoDD) 5124.02 (Reference (a)), establishes policy, assigns responsibilities, and prescribes procedures for the oversight, management, and implementation of the D-SAACP.
- Is effective January 14, 2014; it must be converted to a new DoD instruction (DoDI). This DTM will expire effective ~~July 14~~ *October 12*, 2015.

Applicability. This DTM applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense.

Definitions. See Glossary.

Policy. It is DoD policy that the victims of sexual assault will, in accordance with DoDI 6495.02 (Reference (b)), be offered the assistance of a Sexual Assault Response Coordinator (SARC) and/or Sexual Assault Prevention and Response Victim Advocate (SAPR VA) who has been credentialed by the D-SAACP and has undergone a National Agency Check (NAC) background check.

Responsibilities. See Attachment 1.

Procedures. See Attachments 2 and 3.

Releasability. **Unlimited.** This DTM is approved for public release and is available on the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.


Jessica L. Wright
Acting Under Secretary of Defense for
Personnel and Readiness

Attachments:
As stated

ATTACHMENT 1

REFERENCES

- (a) DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- (b) DoD Instruction 6495.02, “Sexual Assault Prevention and Response (SAPR) Program Procedures,” March 28, 2013
- (c) DoD Directive 5100.87, “Department of Defense Human Resources Activity (DoDHRA),” February 19, 2008
- (d) DoD Instruction 5505.18, “Investigation of Adult Sexual Assault in the Department of Defense,” January 25, 2013, as amended
- (e) Chapter 47 of Title 10, United States Code
- (f) DoD Directive 6495.01, “Sexual Assault Prevention and Response (SAPR) Program,” January 23, 2012, as amended
- (g) Manual for Courts-Martial, United States, current version

ATTACHMENT 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

(USD(P&R)). The USD(P&R) develops policy, procedures, and conducts oversight for the DoD Sexual Assault Prevention and Response Office (SAPRO) in accordance with Reference (b).

2. DIRECTOR, DEPARTMENT OF DEFENSE HUMAN RESOURCES ACTIVITY

(DoDHRA). Under the authority, direction, and control of the USD(P&R), the Director, DoDHRA, provides operational support, budget, and allocates funds and other resources for the DoD SAPRO as outlined in DoDD 5100.87 (Reference (c)).

3. DIRECTOR, SAPRO. Under the authority, direction, and control of the USD(P&R) through the Director, DoDHRA, the Director, SAPRO:

a. Provides recommendations to the USD(P&R) regarding DoD sexual assault prevention, response, and oversight matters.

b. Oversees the implementation and management of the D-SAACP, to include the standardization of sexual assault prevention and response (SAPR) victim advocacy services and the implementation of and adherence to D-SAACP standards across the DoD.

c. Coordinates revisions to policy pertaining to D-SAACP with the Military Services and the National Guard Bureau (NGB).

d. Monitors Service and NGB compliance of D-SAACP requirements.

e. Submits a written notification to D-SAACP when a Military Service has decided to suspend or revoke the D-SAACP certification of a SARC or SAPR VA.

4. SECRETARIES OF THE MILITARY DEPARTMENTS AND DIRECTORS OF THE DEFENSE AGENCIES. The Secretaries of the Military Departments and Directors of the Defense Agencies:

a. Ensure sexual assault victims are offered the assistance of a SARC and SAPR VA. SARCs and SAPR VAs must be credentialed by the D-SAACP, have undergone a NAC background check in accordance with Reference (b), and must not have a qualifying conviction (see Glossary) for a crime of sexual assault or be required to be registered as a sex offender. The Military Services will establish criteria to weigh the information received on the NAC.

b. Establish SAPR D-SAACP policies and procedures to implement this DTM.

(1) Issue guidance and procedures to ensure all SARCs and SAPR VAs meet the D-SAACP certification requirements. D-SAACP certification requirements include the Department of Defense Form (DD Form) 2950, "Department of Defense Sexual Assault Advocate Certification Program Application Packet" and a certificate of completion of 40-hours of National Advocate Credentialing Program approved training. Application instructions are provided on the DD Form 2950. The DD Form 2950 is located at the DoD Forms Management Program website at <http://www.dtic.mil/whs/directives/infomgt/forms/dd/ddforms2500-2999.htm>. The application includes:

(a) A memorandum of verification of sexual assault victim advocacy experience (for levels II thru IV);

(b) A signed D-SAACP SARC or SAPR VA Code of Professional Ethics;

(c) Two signed letters of recommendations for:

1. SARCS. One letter must be completed by the commanding officer; the second is required from a supervisor. The signing commanding officer must be, at a minimum, an O-6 or GS-15 and in the SARCS chain of command. The commanding officer will include the date that the NAC background check was complete. The signing supervisor must be, at a minimum, an O-3, E-7, CWO2, or GS-09 in each respective pay grade. The signing supervisor must be in the SARC's chain of command.

2. SAPR VAs. One letter must be completed by the supervising SARC; the second letter is required from a supervisor. The signing supervisor must be, at a minimum, an O-3, E-7, CWO2, or GS-09 in each respective pay grade and in the SAPR VAs chain of command. The supervisor will include the date of the NAC background check was complete.

(2) Issue guidance and procedures to ensure SARCS and SAPR VAs meet the D-SAACP continuing education training requirements. In order to maintain certification through D-SAACP, D-SAACP-certified SARCS and SAPR VAs must satisfy the D-SAACP continuing education training guidelines and apply for certification renewal every 2 years. D-SAACP requires applicants to show proof of 32 hours of continuing education training for certification renewal. (See Attachment 3 for additional information.)

(3) Issue guidance and procedures to suspend or revoke the certification, when applicable, of SARCS and SAPR VAs in accordance with the D-SAACP Revocation Guidelines in Attachment 3.

(4) Issue guidance and procedures to require all individuals performing the duties of a SARC or SAPR VA to immediately self-report if involved in an incident that would invalidate their earlier NAC check or commander or supervisor recommendation. Such an incident would render those SARCS and SAPR VAs ineligible for initial certification or continued certification.

ATTACHMENT 3

32 HOURS OF CONTINUING EDUCATION TRAINING FOR CERTIFICATION RENEWAL

1. CONTINUING EDUCATION TRAINING. The 32 hours of training will be comprised of:

a. Prevention and Advocacy Training

(1) Applicants must take 30 hours of prevention and victim advocacy courses in topics relevant to their role as a SARC or SAPR VA. Training courses are not limited to sexual assault advocacy.

(2) Advocates should seek training in emerging issues and victim-focused, trauma-informed care by taking courses that are related to prevention and response.

b. Ethics Training. Applicants must take 2 hours of victim advocacy ethics training. The Military Services are encouraged to create their own ethics training and submit the curriculums to the D-SAACP Review Committee for review. To the extent allowed by law and regulations, SAPRO will provide a list of pre-approved courses that satisfy this requirement.

2. LIMITATIONS TO CONTINUING EDUCATION TRAINING

a. Service-specific Training. A maximum of 12 hours of the Service-specific training may be counted towards the 32-hour requirement.

b. Ineligible Courses. The 40-hour training courses used to obtain initial D-SAACP certification or courses unrelated to victim advocacy or prevention will not satisfy continuing education training requirements.

c. Ineligible Activities. Activities that are not considered “training” or that are not educational in nature will not count towards D-SAACP continuing education training course requirements (e.g., participating in a run/walk event or volunteering at an awareness table or booth).

3. DOCUMENTATION OF CONTINUING EDUCATION TRAINING

a. Certification of Completion. All continuing education training must be documented by a certificate of completion or by using the DD Form 2950 as proof of attendance and course completion.

b. Documentation Requirements. Documentation must include the date, location, and number of hours spent in training, and must be signed by the trainer or training coordinator.

c. Acknowledgment for a SAPR VA. For a SAPR VA, the SARC, supervisor, or first person in the chain of command will acknowledge completion of training requirements in the letters of recommendation, which will be attached to the renewal application.

d. Acknowledgment for a SARC. The SARC supervisor or Service regional or major command SARC will acknowledge completion of training requirements in the letters of recommendation submitted with the renewal application.

ATTACHMENT 4

D-SAACP CERTIFICATION REVOCATION GUIDELINES

Before revocation of a SARC or SAPR VA certification, the Military Services must meet these minimum standards:

a. On receipt of a complaint, the appropriate commander will:

(1) Ensure a timely and appropriate inquiry is conducted.

(2) Notify the SARC or SAPR VA in writing that a complaint has been received, an inquiry has been initiated, and their authority to perform SARC and SAPR VA duties is suspended until reinstated by the responsible commander.

(3) Report any and all allegations of unrestricted sexual assault to the appropriate military criminal investigative organization (MCIO). In accordance with Reference (b) and DoDI 5505.18 (Reference (d)) all Unrestricted Reports of violations (to include attempts) of sexual assault and non-consensual sodomy, against adults are immediately reported to the MCIO, regardless of the severity of the potential punishment authorized by the UCMJ.

(a) A unit commander who receives an Unrestricted Report of an incident of sexual assault will immediately refer the matter to the appropriate MCIO.

(b) A unit commander will not conduct internal command directed investigations on sexual assault (i.e., no referrals to appointed command investigators or inquiry officers) or delay immediately contacting the MCIOs while attempting to assess the credibility of the report.

b. The inquiry process will follow Military Services' established adverse action, administrative inquiry, or investigative procedures to determine whether the D-SAACP certified SARC or SAPR VA has done one or more of the following:

(1) Violated the D-SAACP code of professional ethics provided on the DD Form 2950.

(2) Presented a danger of immediate or serious harm to victims of sexual assault or to the general public.

(3) Intentionally made a false statement in the application for certification or renewal on the DD Form 2950.

(4) Used a controlled substance or alcoholic beverage while serving on-call that impaired his or her ability to perform SARC or SAPR VA duties properly.

(5) Committed an act of sexual assault prohibited by article 120 or 125, or attempts (article 80) of chapter 47 of Title 10, United States Code, also known and referred to in this

DTM as the “Uniform Code of Military Justice (UCMJ)” (Reference (e)), or the equivalent State or federal law.

(6) Engaged in or solicited sexual relations with a sexual assault victim currently under the SARC or SAPR VA’s care.

(7) Been convicted at a court-martial of an offense under the UCMJ carrying with it a maximum sentence of confinement for greater than 1 year or punitive discharge from the Military Service or of a felony criminal offense in State or federal courts.

(8) Failed to maintain the privacy of victims before, during, and after the professional relationship in accordance with DoDD 6495.01 (Reference (f)), Military Rule of Evidence 514 pursuant to the Manual for Courts-Martial (Reference (g)), and applicable federal, DoD, and Service privacy laws and regulations.

(9) Intentionally provided false or misleading guidance or advice to a victim.

(10) Demonstrated a lack of competency or ability that jeopardized the delivery of professional victim advocacy.

c. If the commander determines in consultation with a staff judge advocate and human resources office there is preponderant evidence to support the complaint, he or she will determine whether to suspend or revoke the D-SAACP certification.

d. The commander will notify the SARC or SAPR VA in writing when suspending or revoking a D-SAACP certification and provide a copy of the notification to the affected Service program oversight office. This letter must include:

(1) The effective date of the suspension or revocation of certification.

(2) The grounds for the suspension or revocation, including the specific misconduct, ethical violation, substandard performance, professional or personal impairment, or the reason the commander lost faith and confidence in the SARC or SAPR VA to perform assigned duties.

(3) The direction for the SARC or SAPR VA to surrender their D-SAACP certificate and wallet identification card to the first person in the chain of command or supervisor within 24 hours of receipt of the letter.

(4) Description of the SARC or SAPR VA’s right to appeal the decision in accordance with Service appeals procedures.

e. The commander will provide a written report to the program oversight office of the Military Service concerned within 3 business days of concluding an inquiry. The report must document:

(1) Complaint received.

(2) Facts surrounding the complaint.

(3) Findings made during the inquiry process.

(4) Commander's decision to sustain, suspend, or revoke the SARC or SAPR VA's D-SAACP certification.

f. Should the complaint prove unfounded, the commander will reinstate the SARC or SAPR VA via re-issuance of appointment letter.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

D-SAACP	DoD Sexual Assault Advocate Certification Program
DD Form	Department of Defense Form
DoDD	DoD directive
DoDHRA	Department of Defense Human Resource Activity
DoDI	DoD instruction
DTM	Directive-type Memorandum
MCIO	military criminal investigative organization
NAC	National Agency Check
NGB	National Guard Bureau
SAPR	sexual assault prevention and response
SAPR VA	Sexual Assault Prevention and Response Victim Advocate
SAPRO	Sexual Assault Prevention and Response Office
SARC	Sexual Assault Response Coordinator
UCMJ	Uniform Code of Military Justice
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise noted, this term and its definition is for the purpose of this DTM.

D-SAACP Review Committee. An ad hoc committee established for the purpose of reviewing applications for certification and recommend applicants for approval.

qualifying conviction. A State or federal conviction, or a finding of guilty in a juvenile adjudication, for a felony crime of sexual assault and any general or special court-martial conviction for a UCMJ offense, which otherwise meets the elements of a crime of sexual assault, even though not classified as a felony or misdemeanor within the UCMJ. Any offense that requires registration as a sex offender.